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EULOGISTIC TRIBUTE

TO THE

Character and Memory

OF

P.G.R. MATHEW PURDIN

PRINTED BY REQUEST OF

Sacramento Lodge No. 2, I. O. O. F.

Delivered Saturday Evening, April 9th, 1859.

STATE

SACRAMENTO:
H. S. CROCKER & CO.'S PRINT, THIRD STREET.
1859.

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PREFACE.

BRO. P. G. M., JNO. F. MORSE:

DEAR SIR:

I am instructed by Sacramento Lodge No. 2., I. O. O. F., to inform you, under seal thereof, of the following resolution which was unanimously adopted at a called meeting of said Lodge, on this, 29th day of March, 1859.

On motion of P. G., D. W. Welty it was

Resolved, That P. G. M., Morse be requested, in an address, at some future meeting of this Lodge or other occasion, to express the sentiments of our Lodge, relative to the loss it has sustained in the death of our worthy deceased Brother, P. G. Representative, Mathew Purdin.

Truly yours, in the bonds of our Order,

J. W. REEVES, R. Sec'y.
SACRAMENTO LODGE No. 2, I. O. O. F.

J. W. REEVES, SEC'Y. SACRAMENTO LODGE No. 2.:

DEAR SIR AND BRO.:

Your favor of 29th March, conveying wish of the Lodge, in respect to our deceased friend and Brother P. G. R., Mathew Purdin, I have received.

At the earliest opportunity I will present a few thoughts to the Lodge, in eulogy upon his beautiful character.

Yours fraternally,

JOHN F. MORSE.

Sacramento City, March 30, '59.

12809

EULOGISTIC TRIBUTE.

BROTHERS:—It is a pensive, but not a painful pleasure to remove the drapery of the grave from the form and memory of a good old man. At all times the contemplation of honor, virtue and charity is a source of deep consolation and tranquility—the more especially so, if these paradisial plants of character, after maturing throughout a well spent life, are seen to blossom with greater beauty and sweeter fragrance over the quiet grave of a known and acknowledged philanthropist.

In this age of senseless gold-worship and the vassalage of fashion, with all the concomitant evils which exist by necessity, it is not often that a man has the opportunity of sitting in eulogy upon a socially uncorrupt and uncorruptable character. That is the pleasing task to which we are this evening invited.

The old, kind-hearted Patriarch, Br. Mathew Purdin, has left his honored seat in our Lodge and after the good bye of deathless friendship, has gone to seek a purer, better Lodge, whose sentinel is death and whose pass words are love and justice.

What he is or may be there, we know not, what he was in life and will continue to be in memory, we know too well to be deceived.

He was not a brilliant man, yet the rays of benignant action lighted up every page and line of his daily life. He was not a profound man, yet no proposition of humanity was too deep for the instinctive perception of his sunny soul and warm heart. He was not a learned man and yet his general intelligence made him the congenial and safe counselor of the best and wisest men in our Fraternity. He was not a rich man and yet he made his life a BRILIANT and set it with his own hands in a coronet of golden deeds. To the world he was not a man of rank, but to us, where rank derives its vitality from disinterested benevolence, he achieved a title, as we believe, more glorious and beautiful in the sight of the Great Father of Charity, than the gilding radiance of Emperors Kings or Presidents.

He was not what is known through profession, a religious man, yet in conscientious devotion to the loftiest standard of virtue, integrity and good samaritanism we are quite unwilling to admit that in this community we have even seen his superior.

In all my life and in all my intercourse with mankind I have never seen a man who seemed more thoroughly bent upon the accomplishment of perfect kindness, upon being himself an illustration of ceaseless good nature and harmonizing philosophy than Brother Mathew Purdin. He was the only man I ever knew who could maintain a claim upon decision of character and at the same time completely avoid,

under all circumstances, any shadowing of enmity that so naturally results from determined antagonism. Nature, in him, had so blended the emollient qualities of sympathy and universal good-heartedness, that he could pass through warm and feeling contests without making enemies or exciting contempt.

For him we can claim the unexceptionable regard of those who knew him, without constructing a pointless amiability that feeds like a parasite upon the sterner energies of an abused friendship.

Oh, how sensitive were his moral sympathies to the appeals of distress! How warm and sunny was the flowret avenue to his soul of pity! How expansive, comprehensive and glorious was the feeling of commisseration with which he viewed the objects of charity and the politico-social obligations of mankind! Like the life-boat by a wreck; like the ladder of relief at a fire; like the strong arm to the weak; like the sunny day following the storm; like a wooing smile upon the face of melancholy, so was Brother Mathew Purdin ever found in his relations to man and his necessities.

His connections with the organization of our Order in this State are so generally and favorably known that it would seem a work of supererogation to recapitulate them.

From almost the earliest day of California Odd Fellowship he has been known and recognized as one of those electro-moral labratories of soul and sympathy from which those elixirs of benevolence are distilled, that to the poor and distressed are like pendent dew drops upon thirsty plants.

The soul for the Order was peculiarly manifested by his wonderful practicality in accordance with the teachings of the Lodges and the Ritual, and which he discharged any duties or work committed to his judgment.

Like all men of lively and feeling temperament, he was sometimes warm and abrupt and charged with excessive self-confidence. Between the throbbing brain and the heaving pent chest seemed to be a vent of galvanic communication, thus relieved. He a sunbeam was, both light and warmth upon all surrounding objects.

When in conference upon our ceremonies, one might observe that the fire and the excellence of penetrate and keen was much for the power of embellishment that in the really dazzling and the presentation of the evening, but whilst in any more question of ceremonial decorum he would appear, and probably would be compelled, not by the glare of ambition, to compromise, or appear to be relief to assist or a matter of doubtful judgment, and quick as lightning the mind would become clear, the eyes flash with the enthusiasm of charity and he here with the use of those beautiful expressions of judgment which nothing but truth and unbiassed fervency can possibly reveal.

He had been made the recipient of many of the highest honors of the Order, but, instead of these coming as an acquisition to his enthusiasm, or evoking a too ardent or not imaginable acceptance of authority and emolument, they seemed really to have increased him more deeply humility and a greater distrust of his virtues and merits. His modesty was like the fragrance of a rose concealed in foliage.

his charity, like the invisible dew, with which nature feeds the famishing subjects of vegetation.

But he is gone! His seat is vacant; his voice is lost; his earnest pleadings and his silent vote are no longer infringing upon the morality and fraternity of our weekly records; his regalia, in speechless lamentation, is laid away like a cast-off garment, and nothing but the treasured imago which God and art have given us, and the recollections of his excellence embalmed in our memories, now remain to perpetuate the ties that have so fixed him in our love and remembrance.

These, his likeness and memory, the silent monitors he has left us, we may well treasure, for through them we will ever be presented with a character which we may and should imitate in virtues, but can never expect to excel in beauty and loveliness.

It would be well for society if the world could boast of more of this class of good and great men, and of an infinitely smaller number of the fashionable and ambitious lions of politics and morals. The kind of character of which brother Purdin was a living illustration, is the salt of the Earth; it constitutes the highest qualities of social life, and is to the organization of society, what the principles of recuperative energy and protection are to the animal economy. Such men make little noise in their kind and restorative movements; but the result of their humanity and labor are as wonderful to the eye of contemplative philosophy, as the reproduction of tissues on which life itself is dependent. They march to the grave perhaps

ERRATUM.—Fourth line from the top on page 9, read "impinging" instead of "infringing."

with less glory, less pomp and parade; but it would be difficult to convince me that they are not admitted into an eternity more felicitously beautiful and happy than that which the consecrated and canonized souls of the popularly great are supposed to enter. They are the men who gave boldness to the pen of Pope, when he wrote that

"An honest man 's the noblest work of God."

But the spirit of our deceased brother may be cognizant of the tribute which we are tendering to his memory, with a modesty so intensified as to make the offering a source of embarrassment, rather than a pleasure.

Into his quiet grave we have deposited the Covenant emblem of sweet memory. A link is detached, but the chain is not broken. A Patriarch has left his tent, but the camp-fire still burns, and the hospitalities of the Order are extending a still warmer welcome to the wandering and famished travelers of life.

In Memory

of

Professor Josiah Keep

Josiah Keep

Born in Paxton, Massachusetts, May 11, 1849.
Died at Pacific Grove, California, July 27, 1911.

Took A. B. degree, Amherst College, 1874; A. M., 1877.
Professor of Natural Sciences at Mills College, 1885-1911.

"A devoted, faithful teacher; a loyal co-worker, whose joy it was to help everywhere and anywhere; a man consecrated to do the best he knew and so to glorify the Heavenly Father he reverenced and worshiped."

"Ah, great heart that loved beauty and order, and light,
In the flowers, in the shells, in the stars of the night,
Thy dear presence still lingers to cheer and to guide
With its sunshine and brightness, whatever betide."

Josiah Keep.

In Memory

OF

Professor Josiah Keep

MILLS COLLEGE. Oakland, Cal.

Memorial Service

LISSER HALL

Sunday, September the Third,

Nineteen Hundred and Eleven, at three o'clock

Programme

1 Prelude—Largo - - - - - *Handel*

2 Processional—"Hark, Hark My Soul"

3 Purpose of This Memorial Service—
Doctor David P. Barrows
President of the Board of Trustees

4 Reading of the Scripture—
II Corinthians, Chapter iv.

5 Prayer—
Doctor George DeWitt Caster

6 Response after Prayer—
Choir

7 Hymn—"Dear Lord and Father of Mankind"

8 Address—
Professor Josiah Keep

Doctor Charles Sumner Nash
President of Pacific Theological Seminary

9 Solo, with Cello Obligato—"Ave Maria," *Gounod*
Miss Alice Coleman
Member of the Junior Class

10 Tribute from the Berkeley Club—
In Memoriam
Professor Cornélius B. Bradley

11 Tribute from the Students of Mills College—
A Simple Appreciation
Mrs. Anna Coyle Friend

12 Mrs. Mills—A Tribute

13 Benediction—
Doctor Charles Sumner Nash

14 Recessional—"For All Thy Saints"

15 Postlude—"Pilgrim's Chorus," Tannhauser,
- - - - - - - - - - *Wagner*

Mr. Uda Waldrop at the Organ

Purpose of this Memorial Service

We are met in memory of Josiah Keep. He was a man of many interests and of many friendships, and to different ones who knew him well he will be remembered in diverse ways. Some will think oftenest of him for his qualities as a teacher. Others will think of him as a man of science who handled nature's creations with gentleness and love. To others he was most closely related as a wise counsellor and unselfish friend. But all must remember him as a Christian man, as one who carried into every undertaking of life the spirit of Christ. The courage and cheerfulness with which he faced every issue and whereby he supported others rested on no less foundation than perfect confidence in God.

It is unavoidable that a service of this nature for one who has so lately been among us should have its element of pain—pain which we cannot dissimulate and which we would not banish. And yet if this hour does not bring also a solemn joy, an elevation and gladness for having known him, then we are not celebrating his memory in a spirit that befits his memory; we are not remembering him as he would have us remember.

Prayer

WONDERFUL are thy ways, O God Almighty, mysterious past all finding out. We cannot explain what has gone by, we do not know what is to come. Trouble overtakes us, danger threatens. We are helpless in Thy hands as the grass that is blown by the winds. But in our distress we do not despair, in our weakness we are not overcome, for we know that Thou, Who art all-powerful, art all-loving, too. We have seen Thy face in the face of our Lord and Savior; we have learned in all things to put our trust in Thee; we come to Thee in our time of need as children to a father whom they love and who, they know, loves them.

O merciful Father, Thou hast taken our beloved brother from us, and our hearts are sad. But even in the darkness of our sorrow the light of Thy countenance shines upon us, in Thy love we find comfort and cheer. We thank Thee for the assurance which we have in Christ Jesus that nothing can separate us from Thee, that neither life, nor death, nor things present, nor things to come can break these bonds of love. May the consciousness of Thy presence bless this company gathered here to honor their departed friend. May we each of us realize that Thou, Who art over all and in all, without Whom nothing was done that is done, even Thou art by our side; Thy mercy is all about us. May we also realize that the same love which unites us to Thee binds us one to another and to him who no longer goes in and out among us. It is good to know that as Thou art near by, so also is our brother. We pray that none of us may

lack this blessed assurance. We pray especially for the family circle whose loved one is no more in his wonted place. O Thou Who art the resurrection and the life, speak to them in their loneliness and make them to know that he is with Thee and Thou art near.

We bow before Thee, Lord God, not only seeking Thy comfort, but with a deep sense of gratitude. We would thank Thee for the long years that our brother was with us. It is a happy memory. He saw Thy will so clearly in the ways of nature that he helped us to see; in his breadth of sympathy our sympathies were broadened; in his strong Christian character we found strength for ourselves. We thank Thee for the influence which he has had upon class after class of young people in these College halls. Their lives are the richer and the more Christlike because they had him as their teacher. We give Thee praise, O God, for this precious heritage which our friend and brother has left us. Help us to be worthy of it. The inspiration of his example is with us, and we shall go out from here with an earnest purpose to serve Thee more faithfully, to trust Thee more simply. May Thine be the praise and the glory. In the name of the Lord Jesus Christ, we pray. Amen.

Professor Josiah Keep

THE privilege of speaking words of appreciative tribute is not to be declined. It is a grateful duty whenever, as here today, the friend of whom we are to speak is felt to be truly and thoroughly worthy. Our speech this hour is unembarrassed. Nothing need be withheld. What we know and feel about this friend will meet no denial and arouse no doubt. Strong and glowing words will not be fulsome praise. Here is solid worth to eloquence. Here is long, fruitful service to recall with esteem and love.

The life history of Professor Keep needs little relating in this friendly circle. Born in 1848 in Massachusetts, he was graduated in 1874 at Amherst College. Tarrying in his native state as a teacher only long enough to win his "other self," and to secure in 1877 the degree of Master of Arts from his Alma Mater, he came with Mrs. Keep to devote their lives to this young, lusty state. Through Golden Gate Academy, one year, and the Alameda High School, seven years, he came to do his life work here at Mills College. A saint of God in this post and task he was no risk. The providence of it was fine, clear and beautiful for twenty-six years.

As fellow-students in Amherst College for one year, I did not know Professor Keep well—only as is freshman may know a senior—yet I remember his person as plainly as that of any student about my own circle. He was mature, the most studious class, simple, genial, willing a reserved friend, a sincere and trusted Christian. What more need I say to show his place and

meaning in the college life? What he then was, he continued to be to the end. Coming to this state myself in 1891, I knew him instantly; unchanged in look and heart, my friend at once and always. I recall meeting him at Amherst College two years ago, in June, 1909, where, with some of his classmates, he was celebrating the thirty-fifth anniversary of his graduation. How he did enjoy that reunion! His keen relish, his serious and merry talk, his reverent spirit, looking back with "the boys" over thirty-five good years—you know how the man acted, and how much the anniversary meant to him.

The story of his twenty-six years at Mills College is known to many with more detail and intimacy than to me. I make no attempt to tell it. I simply try to bring my tribute in such words as may claim your recognition and sympathy; words which may bear from your fuller knowledge of him and closer association with him your richer tribute of grateful love.

It is natural to begin with externals, and so to mention first his contribution to the world's work and welfare. Professor Keep has labored steadily for thirty-seven years since his graduation at college. He has written books valuable and interesting alike to experts, teachers and unscientific readers; to mature minds and to young people who are catching first glimpses of Nature's marvels. To interest and instruct all these classes by the same pages evidences the writer's mastery of his materials and his vital contact with his readers. And being in a realm known to comparatively few, a realm wondrously built and painted of the beauties of God's handiwork and inhabited by shy and delicate creatures such as only God can tend and shepherd, these books lure the average pupil and reader out into far ranges of unusual discovery and delight. Such books assure to our

friend long influence on earth, upon whose beneficent working we believe he may look down with thanks and praise.

He has left also a sheaf of poems, of which I should be glad to speak, but I have not been able even to read most of them. He loved beautiful things, beautiful form and color, beautiful ways of speaking and acting, beautiful character, the beauty of holiness and truth, the glory of God. He loved them so much that he would sometimes express them in poetry, and this he did as simply and happily as he did other things. A nature like his, which runs so surely and smoothly in the right, need not refrain from its desires, need not refuse them utterance, may let them fly forth in cheerful song. Of such quality are those poems of our brother which I have read. They are beautiful and helpful. They are such as children delight in. And indeed his prose is no dull, hard and musty form of words, but bright and vital, colored and edged with beauty.

This man's great work, however, was not done with ink and paper. His chief writings have been "written not with ink, but with the spirit of the living God, not in tables of stone (or even in paper), but in tables that are hearts of flesh." He wrought as a living soul in contact with living souls. He was a teacher with pupils, a friend with friends. No other form of service can equal the direct action of spirit on spirit, of life on life. Nor does any form of direct, vital action—save one—offer more and demand more and effect more than that of the teacher who idealizes his profession as a calling, a mission and ministry, and fills it with moral purpose. That teacher reverences the young immortals about whom heaven still lies, or who still "by the vision splendid are on their way attended." He does not let the vision fade. His pupils

catch from him "the light that never was, on sea or land," and soon or late return to "God who is our home." Such a teacher was Professor Keep. He became expert in his line. He made his intellectual contribution on high levels of excellence. He was an inspiring instructor, giving interest to materials and significance to tasks. But he went far beyond that. In him the college had a noble personality, felt and followed by his pupils. His data of instruction were food by which souls are nourished, not merely intellects informed. The truth he handled was his instrument of personal influence. He gave himself to his pupils and friends, as the true teacher and real friend always does. "The true sermon," says Phillips Brooks, "is truth through personality." True instruction is the same. And it may be added that true teaching and true preaching are also personality through truth, the movement of the preacher's and the teacher's spirit, through the materials they employ, upon the spirits of pupils and hearers. Such was Professor Keep's teaching. A pupil writes of him: "His warm interest in others, his sweet nature, his gentle patience and his beautiful, unquestioning faith made him one to whom I always looked as a master rather than a mere instructor." He was training pupils to be and to live, as well as to know.

Accordingly, his value was great beyond the class room and faculty meeting. He was a moral and spiritual influence, continuous, winsome, strong and true. This power pervaded all his intercourse with others; it was his atmosphere. I judge that it reached its highest moments in the daily morning prayers, which are now referred to with reverent gratitude in letters written during these past weeks. The daily devotional service in an institution often seems so slight a thing. Your experience in this college,

and Professor Keep's genuine, painstaking, sympathetic, truly spiritual and uplifting leadership—and not his only—rebuke all hasty and formal use of that appointed hour, in view of its daily strength for daily need and its profound effect upon character. This moral and religious power in a teacher's work we, the members and friends of Mills College, exalt to the supreme place in education. It is the crown and glory of the teacher's labor, the institution's service. And in Professor Keep we had one who was at his best in this best portion of our noble work. All other kinds of laborers and fellows are a lighter loss than this.

The contribution of such a personality to the world's work and welfare through twenty-six or thirty-seven faithful years of unchecked opportunity cannot be measured in earthly terms. We can only take an impression of it as being beautiful and far-reaching beyond our figures and words. Its record is being written with vital characters in books of life. There are many lives, many serving lives, more brilliant and conspicuous, ranging farther, touching more persons, at least superficially, winning wider recognition, accorded larger place in halls of fame. This man wrought quietly, in a retired spot. But he did the true things, the deep things, the immortal things. He helped to train the finest parts and types of womanhood. He helped to weave a heavenly fabric in a whole generation of classes. He helped to build this college of large proportions on ethereal lines. The college will perpetuate his work, his kind of work, world without end. And from the lives of his pupils will go, in widening circles, the influences which he gave them. So his spirit marches on. His contribution is not yet complete. It will not be completed and closed, though all who met him here shall follow him,

one by one, to the hills of God. On the earth there is no different living that is more worth while.

Turning now from his work to the man himself, you will not expect an ordered analysis of his character, but rather an appreciation of some of his leading traits, some of the virtues which made him strong, some of the human ties which drew men to him and blessed them in the contact. Here again I may speak freely, for the obvious and attractive things in him are the best things in human character. However much or little he may be said to have attained, however near he won his way to perfection before God called him away, at any rate he chose and faithfully pursued the worthiest things, wherein he is now joyfully lodged forever.

I must mention first his fellowship with Nature. She was almost a person to him. He saw into the life of things. To him it was true that a spirit rolled through all things, and with that spirit he communed. He loved physical forms and vital action of whatever sort. He may have had his preferences, yet no face or form of nature ever found him unresponsive. His fellowship was quick and deep and faithful. And Nature fed him with her choicest gifts. He caught her secrets and her moods. He knew the hidden springs of her life. He saw her purpose and direction, for to him she was no unrelated and self-sufficient being. She was God's handiwork and dwelling place. He was ever looking and moving "through Nature to God." So she made him what her true lovers always grow to be, a simple, adoring soul, obedient to law and happy in its ways, conscious of a princely heritage, a child in his Father's house, at home in many rooms, easily at home now surely in the other rooms.

Here was a pure and righteous soul, sincere and unconfused. Very little was he befogged or tripped by evil. He knew that "it must be right to do right," as Robertson said. However this may be the desperate moral resort of a confused thinker, it is a victorious principle for practical living. This man was good; as uncontaminated as a man among men may be, clear-eyed, sound-hearted, clean-conscienced, virtuous. And goodness is the principal thing. The good man may be content to let the world go by. He may confidently await the issue of life. Over his bier we read our strongest words of faith and peace, "He that doeth the will of God abideth forever."

Of this man fidelity, too, was a main strand of character. He did his duty without flinching. He took his assigned parts without neglect or carelessness. He could be trusted to the end. This is a very great thing. Blessed is the man who never fails those who trust him, and blessed they who trust him. "The best preparation of a religious man," said Bonaventura, "is the doing of common things in a perfect manner." In a perfect manner fidelity is ever a chief element. And those who have dwelt and worked with Professor Keep ascribe to him this high quality. There are some golden words in an old book about being faithful unto death and receiving the crown of life. Our friend was faithful and is crowned.

We surely agree upon geniality and winsomeness as characterizing him. His heart was warm and outreaching. Was any one ever chilled by contact with him? Or did anyone ever feel repelled? Rather were men drawn to him by a strong gravitation. He had a fine talent for friendship, a talent to covet and cultivate. "Woe unto you," said Jesus, "when all men shall speak well of you." Professor Keep had

enough part in current moral conflicts to escape that woe. It is not a denunciation against friendship. This man won friends on all sides, and kept his friends "without capitulation." It was as true of him as of almost any one that he was liked by everybody, while he grappled to his heart, as with hooks of steel, an inner circle of kindred spirits.

With this trait, but worthy of separate mention, go his tender sympathy and helpfulness. He felt with others, wept with those who wept, rejoiced with those who rejoiced. And his time and thought and action were at the call of those whom he might help. There is plenty of testimony to the spontaneous and sympathetic way in which he would turn instantly from his own work to help a pupil or a colleague or any fellowman. His prodigality of time and effort and sympathy is graven on the memory of his pupils. In any selfish view of a man's life-work he could not afford so to spend himself on others. But he was not living for self. He never grudged nor regretted what he gave, nor is he regretting it now.

I would mention, too, the gentleness that marked all his social intercourse. I never heard of any roughness or harshness in his action. He did not try to drive men, nor shock their convictions, nor override their preferences and choices. He was considerate and respectful. He was patient with the slow and the blind and the unwilling. He believed that light and love are mightier than storm and thunderbolt. I cannot think therefore that he has left any heart-aches among his pupils and acquaintances, or any chagrin, or any protest as against injustice or sharp stroke received from him. How high a matter this! For not God's gentleness and forbearance only, but man's as well, make others great.

This man was genuinely, profoundly and tenderly religious. His life was lived with reference to God, an offering to God. His Christian soul stood firm and foursquare. His faith was undoubting in God and righteousness, in Christ and His kingdom, in the triumph of divine love, in the power of an endless life. His convictions of truth and duty were stalwart. He was assured of spiritual reality, and had a real experience of God. The phases and degrees of his Christian experience are unknown to me, but precious to many of you who were enriched by them. He was living the eternal life here among us, "the life hid with Christ in God." In a borrowed phrase, he saw the world "under the aspect of eternity." He realized that the life that now is and that which is to come are parts of one unbroken life, and he lived for the ages. In another phrase, his was "the sacred passion of the second life"; meaning, I suppose, not the future life, but the spiritual life. "That is not first," wrote Paul, "which is spiritual, but that which is natural; then that which is spiritual." The second life is the spiritual life. Its sacred passion fired our friend. Therein his translated spirit glows and shines forever more.

There remains one quality for separate mention, love. It is the supreme thing on earth and in heaven.

"For life"—so Browning—

"For life with all it yields of joy and woe,
And hope and fear,—believe the aged friend—
Is just our chance o' the prize of learning love;
How love might be, hath been indeed, and is."

"Now abideth," wrote Paul, "faith, hope, love, these three; and the greatest of these is love."

This man in whom we rejoice to-day knew this secret of life. He did not miss "the great-

est thing in the world," "the bond of perfectness." We write him as "one who loved his fellowmen," as "one whom love of God had blest." He knew the love of Christ "which passeth knowledge." His daily association and work were so performed year after year as to compose "that best portion of a good man's life, his little, nameless, unremembered acts of kindness and of love." He followed, in modest sacrifice, Him to whom he looked as Savior and Lord. He took as true and commanding that word which says, "Hereby know we love, because He laid down His life for us; and we ought to lay down our lives for the brethren." Again I do not try to mark the measure of his attainments. Are not "great" and "small" mundane distinctions? Righteousness and love have eternity for growth and fruition. This man found righteousness through Christ, and "grew pure by being purely shone upon." He won the prize of learning love. Humbly he walked the shining ways which may not be proudly trodden. And those ways have led him "through love to light, through light, O God, to Thee."

After using my own freedom of speech, I cannot forbear to read you extracts from a few of the tributes which have come. "Professor Keep has been such a center of light and leading that he will be largely missed by the outside world." "If ever there was a good man and a kindly man, it was he." "He seemed like a bit of New England goodness transplanted to this coast." "One of those choice spirits one travels through life to find so few." "His life among us was so simple, so happy. He had such perfect sympathy and understanding in Nature and all her dealings; he was so helpful to everyone and had such absolute faith in God, his Father in heaven." "He was a rare spirit, a

second Joseph Le Conte." "How good it is to know that he was so well beloved, that his life was so helpful in every way, that naught but good can be said of him." "He makes me think of my own father, who was the strongest influence in my life—the same bed-rock virtues with sunshine playing over them, the same reaching out to God and His works, the same eager helpful hand to each human being who came near, and thought for the whole world of humanity beyond that inner circle. It is those lives that give me my assurance of immortality." "A man of rare personal charm, winning manners, great ability as a teacher and scientist, coupled with brave modesty." "The beauty of his character made its influence felt on every one with whom he came in contact. I think I have never met any one who was so willing to help in every possible way." "Professor Keep had all the qualities which call forth love." "His life has been so solid and sure, his faith so simple and genuine, yet so deep-founded, that he has done much for many of us to translate our highest expectations into the substance of life."

Being such a man, so fit and ready by the grace of God, was not his departure such as he would have chosen and such as *we* should have chosen? "His going," writes a longtime friend, "seems to me to have been as he could have wished; serving to the last, in the midst of usefulness, in the midst of friends and accomplished tasks. It was a beautiful passage for him." "There can be," writes another, "no misgivings about the Father's House, or the Other Room, or the Eternal Love, as we think about him."

Saturating the following lines with Christian faith and lining them with the light of heaven, we find them apt and beautiful for him and for ourselves:

"So be my passing!
My task accomplished and the long day done,
My wages taken, and in my heart
Some late lark singing,
Let me be gathered to the quiet west,
The sundown splendid and serene,
Death."

"So He giveth His beloved sleep."

In Memoriam

FOR the whole length of an average lifetime I have had the joy of knowing that gentle and noble spirit, the memory of whose stay among us we are met this day to celebrate. As two young teachers, unknown to each other, and from different quarters of the world, we came to this coast in the '70's to cast in our lot with this new state and new society, and to grow up with the country:—I, a little in advance, and he following within a year or two. We both came to Oakland, where our fortunes cast us into different and unrelated schools, where our religious and social affiliations brought us into relation with different groups of people. Yet so—and inevitably, as it seemed—we found each other, and there began that friendship which has grown and ripened through all these years.

At first, I have said, we were far apart, and had few opportunities of meeting. And the distance became greater, and the opportunities fewer, when he left the Academy in Oakland for the High School in Alameda; and still more so when the one was called here to Mills College, and the other to the University of California, and upon both of us fell an ever-increasing complexity of duties and relationships. But though few, there were well-remembered meetings which kept our friendship green and growing:—notably a summering together at Pacific Grove, the spot with which, next to this College, his life and his effort have been most intimately and most lovingly associated—and where now, as is most fitting, his dust sleeps beside the sounding

sea whose life he so eagerly studied and loved. And there was a week when we two alone walked and talked together amid the grandeur and the silences of the Sierra. And later still, another summer in which, along with a group of chosen friends, we spent a whole vacation together far up on the flanks of the mountain range, in that kind of intimacy which reveals and tests, as few things short of wedded life can do, the quality of character and spirit. And when these opportunities did not come, our spirits might still lean toward each other across the separating spaces, and each knew that his mate was yonder, within reach and call.

At length the fates grew kinder. We both found ourselves within the Berkeley Club. And there, among thoughtful and scholarly men, we have ordinarily spent an evening once a fortnight for the past twenty-four years.

Such a fellowship as we there found, on one side of it, is a formidable discipline and training, in its exaction, as often as a man's turn comes round, of his very best thought on some topic of genuine human interest:—especially when the exaction is backed by the frankest and most direct criticism of the performance, on the part of the membership generally. On another side, in the range of topics presented, and in the variety of opinions held, it affords not merely something which might almost be called an encyclopedic education, but a constant training as well in tolerance and catholicity of judgment. And in its social phase, in the free give-and-take of the dinner table, there is the amplest opportunity for each one to know and to enjoy his mates. In all these ways the club brings its membership very close, the one to the other, and greatly strengthens the ties of natural friendship.

In the years during which Professor Keep was a member of the club, he read no fewer than eleven stated papers, all of them interesting, and all strongly characteristic. The topics were very various. Some of them were the direct outcome of his professional studies. The material for some was gathered during vacation wanderings. And there were grave, earnest thoughts on topics economic, social, educational, moral and philosophical.

On the social and personal side, Professor Keep greatly endeared himself to every one of us. His unfailing kindness and thoughtfulness for others, his genial and merry humor, his sound practical wisdom and shrewdness, and the unfaltering loyalty with which he held to his fundamental convictions and judgments, were delightful to encounter, whether in the freer play of conversation, or in the more considered discussion of papers read.

During the past seven years Professor Keep has held the club's sole office of secretary and treasurer—involving in addition to the ordinary duties of such office, the whole responsibility of the club's affairs in the way of preparing the schedule of hosts and readers, and in arranging for our housing and our social meal. Here, too, as everywhere else, the qualities of the man went into everything that he did:—patience, shrewdness, thoroughness, with the cheery good-humor and the gentle firmness which succeed, when violence would utterly fail.

It is to me a comfort and a joy that I have known and loved this dear good man; and that to-day, along with those who speak to us of his larger life and broader relationships, I am privileged to say how much he has been to me personally, and to the club which I represent. In his departure I have lost a friend tried and true

of my early prime, and the club has lost one of its most useful and well-beloved members.

But a life so lived as was his, and especially in a nascent society such as ours has been, cannot be lost. It has been wrought into the character and the life of the multitudes whom he has taught and influenced, and into the very texture and fabric of this institution into which he himself was builded as a living stone, to be a part of its strength and its tradition forever. And it lives, dearer than ever, in the hearts of all who were his friends.

A Simple Appreciation of Josiah Keep

By One of His Girls.

I AM asked to speak this afternoon in behalf of the students of Mills College in memory of Professor Keep. The voice of our beloved teacher is heard no more, but the lessons of his life are imperishable.

His was a wide vision, a deep insight. The sweep of the stars, the laws of physics and of chemistry, the science of rocks, of shell-life, and of growing plants,—all these were the habits of his expansive mind. Yet in manner he was always self-effacing, in conversation very simple. No student ever feared to ask him a question, or to run to him, maybe, with some fine botannical specimen she had just pressed, sure of his quick commendation, his ready sympathy or word of help.

He was one of the happiest men I ever knew. Sunshine emanated from his presence. He sang as he worked. No gathering of the girls for fun or entertainment was complete without Professor Keep.

Moreover, he was a man of sound judgment, decided opinions, broad-minded, kind-hearted. I never heard him speak harshly of anyone. He was our spiritual adviser as well. Countless times he has led us in our morning or evening devotions, and cheered and encouraged us personally when our need was greatest.

Pervading all his life, guiding his speech, molding his thought, was the gentle spirit of Christ.

If he taught us of the stars it was that "the heavens deelare the glory of God and the firmament showeth his handiwork." Did we make a study of rocks it was that we might a little eloser apprehend Him "who laid the foundations of the earth that it should not be removed forever." And so the shells with the various forms of sea-life they contained were of deeper interest beeause they were a part of God's great plan. "The sea is His and He made it." The "lilies of the field" and the trees that "elap their hands" when the wind passeth over them,—all had added wonder, beauty and inspiration beeause in them Professor Keep saw the fashioning of divine fingers, through them he heard God's voiee, and what he learned he gave to us.

How we do miss our teaeher and our friend words ean never tell. Beeause he lived our minds are broader, our lives are enriehed, our hearts have been turned heavenward.

I eannot aeeurately utter the heart-thoughts of the hundreds of young women who have entered the doors of Mills College and gone out again after four years' work in one department or another under the leadership of Professor Keep. Words alone ean never pay fit tribute to a life. But surely I make no mistake when for us all I say, "We loved him."

"I cannot say and I will not say
That he is dead: he is just away.
With a cheery smile and a wave of the hand
He has wandered into an unknown land,
And left us thinking how very fair
It needs must be since he lingers there.
* * * * * * * * *
And you, O you who the wildest yearn
For the old time step and the glad return,
Think of him faring on, as dear
In the love of There, as the love of Here.
* * * * * * * * *
Think of him still as the same, I say;
He is not dead; he is just away."

A Tribute - Mrs. Mills

Our beloved Professor Keep came to us twenty-six years ago from the Alameda High School. Mr. Mills had passed away only a short time before and Professor Keep took the classes that Mr. Mills had taught. I gave over to his care my classes in botany and geology and with them my fine collection of corals, lavas and shells; to these latter he added many beautiful specimens as the years went by.

No words can express what Mr. Keep has been to me personally during these many years. He was like a true son—always ready to help, to write, to accompany a botany or geology expedition or to aid wherever he could. He made many improvements about the grounds and always realized the value of money and the necessity of economy and knew how to meet the needs of a growing institution.

It was Mr. Keep's constant joy to honor the Father and Master of us all and to acknowledge Christ as the divine Savior. He led his students to recognize the Father and Friend in all His works of love and beauty. More than all, he was a man of God and always of good cheer.

Professor Keep rests beside the ocean he so loved. It had many charms for him, continually teaching him new lessons of life and beauty. The voices of the ocean grew sweeter and sweeter to him until that day when all voices of the earth were hushed. He has entered into the rest he so richly deserved. May we hear as he has heard the Master's voice saying, "Well done, good and faithful servant, enter thou into the joy of thy Lord!"

A Tribute - President Carson

Among the many warm greetings when I came to Mills College none was more generous and hearty than the welcome from Professor Keep. From the beginning of my acquaintance with him he was always helpful and ever seemed happy in being helpful. It was a pleasure and an inspiration to ask his counsel or co-operation. He gave so completely, so cordially and so generously more than was ever asked. And with what charm of old-fashioned courtesy and grace of deference he met the relations of every-day life!

Professor Keep knew well every step in the growth of Mills College and deeply regarded its traditions; he reverenced its past and exemplified adherence to the principles upon which it was founded; he had an abounding faith in its future and in its power to grow, and always advanced into the future with joy. Nothing ever daunted or quenched his spirit of activity.

There was no intolerance in this man, no doubt; he was not disturbed because of weakness in individual or institution; indeed he did not seem conscious of any weakness; he talked of strength and hope and plans and growth. And others, seeing the light in his countenance and hearing his utterances of faith, felt sure.

His love of the many aspects of nature seemed always an expression of his love for the Creator and his simple trust made all feel that he indeed walked with God. His life and works will ever be a blessed inheritance to Mills College.

Resolutions

Adopted by the Faculty of Mills College in Memory of Professor Josiah Keep.

Whereas, Josiah Keep, for more than twenty-six years associated with the educational interests of Mills College, has passed from this life of labor and love to that higher life beyond, be it

Resolved: That we; the Faculty of Mills College, formally express our appreciation of the wholesome Christian influence of this beloved professor, his helpful counsel, and his genial personality.

That Mills College has suffered the irreparable loss of a true scholar and teacher, Mrs. Mills and the President a real friend and counselor, the Faculty an esteemed and efficient member.

That, as the head of the Department of Science he combined high proficiency in his chosen subject with great ability as an instructor. He brought his students to love the work because he loved both it and them. His service was invaluable to his colleagues to whom he ever brought good cheer and helpfulness.

Resolved: That these resolutions be spread upon our records, and a copy be sent to the family with whom we express our tenderest sympathy in their bereavement of one whose presence we daily miss, but whose memory we shall ever revere.

"None knew him but to love him,
None named him but to praise."

C. K. Wittenmyer, Ch.
Hettie B. Ege
Rosalind Wulzen.

Resolutions

Adopted by the Alumnae of Mills College in Memory of Professor Josiah Keep.

Whereas, God in His infinite wisdom has called from this life our beloved friend and teacher, Professor Josiah Keep, be it

Resolved, That we, the Alumnae Association of Mills College, thus formally present our tribute to the memory of him whose walk among us was full of sunshine, whose words were full of encouragement, whose work was charged with wisdom and understanding.

That as a teacher he gave himself to his work with joyous enthusiasm, communicating his attitude of mind to those whose privilege it was to work under his guidance. To him nothing was little or insignificant. For him it was the hand of an all-wise and all-loving heavenly Father that formed a shell or created a planet. With simple faith he accepted his relationship with God as that of son to Father, and considered all mankind as one great brotherhood.

That as a friend he was ever ready to anticipate another's need, to meet it with glad service, or with warm-hearted sympathy.

That by his passing a place has been made vacant that can never be filled.

That as a testimonial to his worth we offer the love of hundreds of lives strengthened and inspired by his earnest, Christ-like life.

Resolved, That these resolutions be spread upon our records and a copy be sent to the family, with whom we express our deepest sympathy in their bereavement.

By the Committee of the Alumnae:

ANNA COYLE FRIEND (Ch.)
ALICE M. GRAY
MAY BELLE TRUETT.

Extracts from Letters

Very many tender letters have come from members of the Mills family and from other friends. Only a few characteristic expressions find place here, so that in some little measure the love and appreciation out in the great world may give response to those who read these pages.

"Somehow I think I had always associated dear Professor Keep with life which never goes out; with things intensely alive. He seemed so to pulse and tingle with the fire of life and to be so close to living things. His blood raced through his veins, he was so eternally alert, such a living rebuke to the sluggard, and such an inspiration to the enthusiast. My memories of him are very many, very vivid and very very precious. I would not alter or abandon them for untold wealth. I loved him dearly, as did all his students, and I shall cherish my thoughts of his splendid example, of his beautiful life to the end of my days."

Englewood, New Jersey E. P. G.

"I like to think of him in the Campanile surrounded by a group of interested listeners to whom he is explaining the wonders of that great bell tower, or with boyish interest showing us through Science Hall."

Los Angeles. N. S. P.

"I have been calling up all the occasions, some of them merry and some serious, which are always to be associated with Professor Keep, and there is not one that I would wish ever to forget. If there ever was a good man and a kindly man, it was he."

Alameda, California. C. D.

"It saddens my heart beyond measure that I will not again have the privilege of speaking with Professor Keep; a man always so full of sunshine and cheer. The intercourse I had with him at Mills, with all his personal interest in everything and everybody, his keen and thoughtful mind, his sweet and loving character, so full of Christian deeds, will be a precious memory to me. How many will rise up and call him blessed."

Oakland, California. M. E. A.

"He has been so much to all of us these many years. Never did I think of it so strongly as on Founders' Day, when I watched the play of expression on his fine face. Nobly has he done his work, so that it is above reproach, and fondly will his memory be cherished by hosts of women and friends."

San Francisco. S. E. P.

"The passing of our dear Professor Keep was a very great shock to me. Many of us older Mills girls were privileged in knowing him so intimately, and I, amongst scores of others, appreciated the beauty and sweetness of his character. His presence meant so much to the entire community in which he moved, and he radiated so much love, that his passing must necessarily leave a very great void. I feel so thankful to have known him; the meeting with him was always one of the very sweetest experiences in my visits to the old Mills home—he always made me feel so welcome, in spite of the lapse of years. And I am just one of the many, many girls whom he helped and cheered in countless little ways."

San Francisco. A. M. G.

"I shall deem it a great privilege when next I visit Pacific Grove, to go to the little cemetery and place upon the last resting place of my dear friend and teacher a flower, in loving memory of his goodness and kindness to me."

Stockton, California. J. L. W.

"I am so glad to have the remembrance of the N. E. A. day, which I suppose was the last time he played the chimes. Those dear chimes will be always associated with him, though indeed we can hardly remember the College without his genial smile."

Oakland, California. H. T. B.

"This is a great sorrow to all the Mills girls who have known and loved Professor Keep these many years. His life among us was so simple—so happy. He had such perfect sympathy and understanding in Nature and all her dealings,—he was so helpful to everyone, and had such absolute faith in God—his Father in heaven. Mills College, whose associations I have loved the past fifteen years, can never be quite the same again to me. There is a soul gone—an influence lacking that my girlhood knew and loved and was strengthened by. But his life goes on through ours. When I teach my children love for stars and shells, the life of the dear Professor will be living again in them. He can never die nor fade from our memory."

San Francisco. A. C. F.

"Professor Keep shared with Mrs. Mills the affection of the Mills girls who were fortunate enough to spend a few months or years in touch with him as a teacher and friend. Always kind, thoughtful and cheerful, his sympathy could be depended on when all others failed.

His memory for names and faces, like Mrs. Mills again, was remarkable. I saw him at a reception in Portland after several years' absence; he recognized me without faltering and I was made exceedingly happy to know that my image had not faded from his memory, in spite of the hundreds of girls who had come under his influence and passed on, since my day at Mills. He has left the memory of a busy, useful, helpful life, and his influence is alive in hundreds of souls that came in touch with him at the formative period of their lives."

Astoria, Oregon. G. M. F.

"We of the older graduates and pupils of Mills Seminary and College, who were not privileged to be pupils of Professor Keep, have nevertheless through our frequent visits to our old school home learned to know and appreciate him. We will miss the genial handshake, and the pleasant word he had for each and all. It does not seem quite right that another will ring the chimes of 'Home, Sweet Home,' when we gather again for our annual home-coming."

Berkeley, California. V. F. D.

"We held Professor Keep in very high esteem and felt for him an attachment and an affection as for genuine friends. When I was at Mills he was not merely an honored colleague, but also a lovely, kind friend. His loss will be felt by a vast multitude of those to whom he showed himself a true friend—teachers and students at 'Mills,' educators, scholars and scientists everywhere, and the public who knew him, knew him to admire and respect his great worth."

Grinnell, Iowa. M. C.

"I have read in the paper the news that is so hard to believe. As I think of the College, it is impossible to think of it without Professor Keep. I cannot think of Science Hall without him, of the chimes without him, of the College picnics without his good cheer, his toasts and his songs; of the missionary meetings or the morning prayers without his spiritual uplift. He has seemed and has been the center of good cheer and inspiration, as well as practical help. To me and to many others his prayers at the morning chapel service have been of the greatest help and inspiration. It has been so to me especially during the last six months—his large faith and deep insight into the things of the spirit have so helped me in my hold on the real things."

Los Angeles. H. A. B.

"To think that I am to greet the strong, kindly face, to grasp the cordial, greeting hand of my friend no more. It seems as if something of me is gone forever. How much good he wrought! How much he was to all of us who were near to him! Truly the lives of all who knew him were better and higher because of it."

Oakland. CHARLES J. WOODBURY.

"I write to express my great sympathy and sorrow at his death. I regarded him as one of the most faithful, reliable and, generally speaking, best of my fellow students at Amherst. He was, moreover, of great geniality and therefore especially liked by all his classmates. It is a great pleasure to me to remember that he was able to attend our last class reunion."

ISAAC N. MILLS.
Judge of Supreme Court, New York.

"My memory of him is of his toast that night at the Home Club dinner—'The Hills.' I have never forgotten it, nor will I, for it touched a responsive chord in my heart—I am such a nature-lover, too. The simple dignity of his words lifted us up and beyond, into the finer things that are so much more worth while. And I will always associate with him his closing words:

"'Home is the sailor, home from the sea,
And the hunter home from the hill.'

"And knowing where you laid him, I am sure it all has come to you,—the other words:

"'Here he lies where he longed to be.'

"So will you accept my feeble words of sympathy, and our earnest tribute to a true fine man, whom many, and we among them, will miss from his accustomed ways."

AUGUSTA K. BRINCKERHOFF.
Oakland, California.

"I like to feel that dear Professor Keep is finding joy in the new land to which he has gone. He loved knowledge and received it and gave it alike in a spirit of generosity. It was always easy to be loyal to him, because he himself was loyal and magnanimous. I cannot think of the College without his presence, so kind and helpful he was at all times, and so gracious always in his influence. I feel that with his going has gone one more of those who, like Agassiz, loved Nature, and read her in a large way without staying to magnify the details, making the part more important than the whole. Sometimes I think we must return to that more splendid view of all about us. Professor Keep's passing comes to me as a deep personal loss that words cannot express."

Portland, Oregon. EMMA M. WOLD.

"In College we all loved and honored him, and his whole career has been an expression of his noble life which has blessed very many who have had the privilege of knowing him."

President Colorado College, WM. F. SLOCUM.
Colorado Springs, Colo.

"In his letter last month he said, 'How little we really know of the ordinary problems of life. But the facts are so stupendous that we may be sure that there is some high Intelligence back of it all. As I grow older the ground of my faith is somewhat modified, and more rational, but the faith itself is stronger than ever.' Such words as these must mean much to you, and

while the loss is a sad reality, it is good to know that he had faith in the outcome."

Warren, Mass. JULIA M. HITCHCOCK.

"I knew him in our Amherst College days, and it was a great pleasure to renew our acquaintance two years ago, and to find him developed into a man of such breadth, maturity and mellow ripeness of mind and character. * * * He has done his work well, and has left behind him effects that are good and only good. He was naturally gifted in mind, and endowed with certain very sterling virtues, among them honesty, sincerity, love of truth, reverence, patience, industry, gentleness, firmness and faithfulness. He has put these talents out to usury, and now he can say, 'Lord, behold the pound which Thou hast given me has become ten pounds.' Can we not almost hear the words, 'Well done! good and faithful servant, thou hast been faithful in few things, I will make thee ruler over many things, enter thou into the joy of thy Lord.' This plaudit has already been his in the judgment of those who knew him, and in the work that has fallen to him to accomplish."

Leicester, Mass. J. B. THRALL.

"He was always a kind and true friend to me, and his bright and cheery words of brotherly helpfulness and sympathy were of great comfort and inspiration to me. Rest assured that many mourn with you. We also rejoice, however, in the thought that he has entered upon the activities and eternal joys of the life beyond, for which he was so prepared and fitted. It is difficult to think of Mills College without him. What a splendid aid he has been to the work there through all these many years!"

Honolulu, T. H. F. W. DAMON.

"His books enabled the beginner to gain a preliminary knowledge of the attractive shells of California. To these little books we may fairly ascribe much of the widespread interest which is to-day found among Californians and which by the co-operation of amateurs with specialists, has immensely increased our knowledge of the Pacific Coast fauna. * * * Modest, courteous, indefatigable and enthusiastic, he was primarily a teacher and organizer; beloved by his classes and appreciated by those reached through his books and so led to the study of Nature. In his unassuming way he has done a good work and found his reward in doing it."

From an article in "Science," by Dr. William H Dall of Smithsonian Institution, Washington, D. C.

The Sea

I.

THE broad blue sea,
It has charms for me;
For I love to stand
On its rim of sand,
And look far off where its great waves rise,
As if they were mounting up into the skies;
Then see them break into foamy spray,
Leaving patches of snow as they melt away.

II.

O, the broad blue sea,
It has charms for me;
For I love to hear
Its music so clear,
When the thundering bass of its breakers roars,
As its billows dash on the rock-bound shores,
And the wavelets answer with melody sweet,
As they die on the sands that lie at my feet.

III.

O, the broad blue sea,
It has charms for me;
For I love to explore
The caves of its shore,
To gather its mosses and pebbles and shells,
To note the rich bower where the fair sea-nymph dwells;
While from each living creature there rises a call
To praise the great Giver of life unto all.

IV.

O, the broad blue sea,
It has charms for me;
For I love to dream
Of islands that seem
Like beautiful regions far out in the west,
Where frosts never blight, and all nature is blest;
Till I long to set sail, with the red setting sun,
And find on their shores a new life begun.

V.

O, the broad blue sea,
It has charms for me;
For I love to believe
That I yet shall perceive
New sources of power revealed by its waves,
New lessons of wisdom and life in its caves;
And the voice of the sea shall grow sweeter each day,
Till the voices of earth shall all fade away.

—JOSIAH KEEP.

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MEMORY'S ECHOES

ALONG THE

CORRIDORS OF TIME.

. . . Dedicated to . . .

Susan Taylor D'Evelyn.

Died July 17, 1892,

San Francisco, California.

Books Bought, Sold and Exchanged,
THE HOLMES BOOK CO.,
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704 MISSION ST. NEAR THIRD, S. F.

MEMORY'S ECHOES
ALONG THE
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Dedicated to . . .

Susan Taylor D'Evelyn.

Died July 17, 1892,
San Francisco, California.

With Dr D'Evelyn's
Grateful recognition of Sympathy
Expressed

84 61

" For it may be I am nearer Home,
Nearer now than I think ;
Nearer the bounds of life,
Where we lay our burdens down ;
Nearer leaving the cross,
Nearer gaining the crown."

" If He should call me Home before
The children land on that blest shore,
Afar from care and sin,
I know that I shall watch and wait
Till He, the keeper of the gate,
Let's both the children in."

EULOGY

ON

MRS. SUSAN TAYLOR D'EYELYN.

"And seeing the multitudes, He went up into a mountain; and when He was set, His disciples came unto Him. And He opened His mouth, and taught them, saying:

"Blessed are they that mourn: for they shall be comforted."

Not blessed *because* they mourn, but *because* they shall be comforted. Had not the life of Him from whose Divine lips this assurance fell been filled with *all* of human experiences. Did not His revelation of the all-encompassing love of the Father over-arch us at times likes the clear night sky which, on a march through a desert, breathes a blessed coolness over our parched and weary nature, with a great and tender assurance of permanent peace? If there was not hidden in them the very gold of truth, as seen and understood by Him who "spoke as never man spake," they would be an awful mockery.

We, who have assembled here this afternoon in memory of one who but two short weeks ago filled her appointed place at the Assistant Recorder's desk, and the echo of whose tender, loving words still seem to vibrate through this familiar room, *do sincerely mourn*. There is the desolate chamber and the still more desolate heart of him who for six years has been blest with the sweetest and closest of earthly companions, a true wife: *He mourns*. There are two precious children, too young yet to realize what has been their irreparable loss, and yet who hourly miss the mother whose devoted ministry and love-lit face made their heaven.

There is a home in a distant land across the sea, in which a father and mother, brothers and sisters, sacredly cherish every

memento of the fair girl who left all the associates and ties of her beautiful youth to follow the fortunes of the man for whom she had vowed to forsake all others, and to cleave only unto him: *they mourn;* and wherever there is a social circle into which the charm of Mrs. D'Evelyn's genial presence has entered, or an individual who has been uplifted and blest by her sturdy friendship, *there* is mourning; *there* is a sense of great personal loss, and there is the old, old and oft-repeated longing:

> "For the touch of a vanished hand,
> And the sound of a voice that is still,"

Why then shall we who mourn be comforted? Because we *know that death is not an end, but a change*, behind whose cold unconsciousness the unseen spirit broods into higher life; a transitional process, in which all forms of decay are but masks of regeneration—the secret alembics of vitality, the condition of higher and more fruitful life. Life! Life! Oh let us ring out the repetition of that word of infinite meaning until every faculty of the spirit, soul, and mortal consciousness leaps into joyous recognition of the absolute fact that "there is no death," and that we must not make too much of it.

There is something thrilling and exalting in the thought that we are all, one by one, drifting forward into a splendid mystery that no mortal eye has yet seen nor intelligence declared; that as spiritual beings we are placed here to be *trained*, not gratified, alone, and that it is often the drawing up of these earthly ties that draws up our souls, and we are baptized into eternal life through the cloud and shadow of the condition which we call death.

Susan Taylor D'Evelyn was of Scotch-Irish descent, and was born in Belfast, Ireland, June 10, 1858.

From a brief biography of her, written by a member of the Pacific Coast Women's Press Association, and published recently, with her portrait, in a prominent St. Louis magazine, I quote that she received a thorough training in the government schools of Great Britain, which solid foundation proved invaluable to her in her

after work. Having completed the prescribed course, she entered Queen's University, Ireland, where she won high honors, and later filled a prominent position in a large private school in England. After travelling through Holland, Belgium, Germany and other European countries, she, five years ago, found, with her husband, her home and congenial work in San Francisco. Here she again turned her attention to literature, contributing regularly to the Victoria College Magazine (Ireland), a Chicago magazine, a San Francisco weekly, and occasionally other periodicals. Her *forte* was that of an essayist. Her style was as clear and simple as her philosophy was sunny, and while she took wide and lofty views of the character which underlies all current events, she cared to chronicle nothing which would simply amuse without stirring the soul of the reader.

Under her *nom de plume* ("Kate McBride,") which was the real name of her mother, has gone out from the printed page many a thought gem of purest lustre, of which *home and the joys of domestic life* was generally the theme. Since the formation of the Pacific Coast Woman's Press Association, she has filled the office of Assistant Recording Secretary with a degree of fidelity, persistency and loyalty to its highest interests, which is beyond all praise.

With the beloved founder of this Association she was—I prefer to say, *is*—on terms of intimate friendship, and among the last coherent expressions of Mrs. Parkhurst, was the emphatic message: "Tell Mrs. D'Evelyn that I love her."

Were I asked to *epitomize* the moral character of Mrs. D'Evelyn, or specify what was the pivotal point, I would answer, "Thorough truthfulness."

Truthfulness to others and to one's self is a *rare* virtue, and he or she who indeed acts upon it is the noblest of all heroes. We have souls here as much as we shall have hereafter, and those who on the great theatre of life are *true* to their best convictions, are

educating their souls for an "abundant entrance" into the university of unlimited knowledge which lies "beyond the gates."

Of a strong religious nature, her creed was that of every true saint, viz: to make the best of life and to make the most of it.

She once said to me, when we were talking of people who complain of religion because it does not remove all evils: "I do not believe that the end and aim of our being is merely to be happy and comfortable, yet I believe that to the followers of Christ all things lead to final joy; that the brightest flowering of existence will be *in* joy, and that the atmosphere of heaven *is* joy."

Our last conversation on the Tuesday preceding her death was upon the disciplinary purpose that every phase of life seemed to show. We agreed that to the *materialist*, human life, with its strange experiences and changes, its shame and its glory, its restlessness and yet desire for peace, its broken resolutions and undying hopes, its close clinging to earthly, visible things, and yet its gravitation to an unseen sphere, was not only a paradox, but seemed a satire and deceit.

"It is not thus," said she, "that *I* read the explanation of temptation and sin, the meaning of love and sorrow, the worth of social affections and the trials of virtue; it is all for the development of our spiritual life, which in its immortality runs parallel with that of God Himself."

Her's were the words of inspired truth, dear friends; believe them, and believe, also, that those lofty souls who, far upward on the mountain heights stand there in garments which glisten in their nearness to those of saintly purity, have trodden the thorny ground of self sacrifice, and self-conquest, inch by inch.

Another most endearing and prominent characteristic of Mrs. D'Evelyn was her *kindliness of nature.*

Says some prophet among the people: "Speak one kind word, and you do not know how far it may reach in its influence. As a simple illustration: We go down town some morning, and all

seems dark to us; everything is shrouded in gloom, because of the irritability or dark spirit which has taken possession of us. We meet a friend who speaks one kind, earnest word, and passes on, but, as the sun sends a ray of sunshine across the sky that was before dark and lowering, changing the whole face of nature, so that kind, loving word sends a beam of gladness into one's heart, and the aspect of the whole world of the soul is changed."

Such a circlet of good cheer Mrs. D'Evelyn embodied. Her sympathy, her intelligent appreciation of every chord of joy and sorrow which makes up the diapason of life, made her touch upon those varied chords "ring out no uncertain sound."

Whether we truly benefit the world while we are in it depends upon the disposition which we carry into it. The kind of temper with which we act, "will make much of little or little of much."

Her eyes aimed to see, and succeeded in so seeing, *the best in every one;* hence her unfailing cheerfulness was fed by her faith in the universal good.

Life is a crucible into which we are thrown to be tested. All that is not expressed in the spiritual nature of the man is dross. Thus, life is the sum of our attainment, our experience, our character, whether we die in childhood or in maturity.

Whether it is a failure or a success, depends upon the soul's *inward possession*, not the outward fortune. It is not merely a premise from which we start, but a goal toward which we proceed, believing that though this body shall drop to ashes, the soul—which is the real and only of us—"shall go beaming upward like a star."

O, the worth of a soul!

Physically, we are but an atom, a pulsation in time; spiritually, the entire universe receives significance from us and the scope of our existence stretches beyond the stars.

Woman, of all beings, needs the life and power of religion. When one realizes what is her peculiar province, what responsibilities come under her influence, what brave yet tender interests

she must cherish, where can she go but to Him who alone has lived those virtues, and whose spirit can impart a living power to each soul, to put them into practice?

Thus in Mrs. D'Evelyn I knew not only by hearsay, but *felt* that in her religious nature was the deep, rich soil from which so much luxuriant fertility sprang. Among women, the gentlest, she had the chivalry to stand by the convictions of her own soul, which were, that the highest, profoundest intellectual culture is worse than an abstraction if it does not run parallel with that moral sense which comes from a conscious union with God. It is, in fact, but deafness, blindness, and spiritual death.

I would not omit one of her sweetest womanly traits, her *hospitality*. I do not know whether, like the old patriarch, she was permitted to often entertain angels unawares, but I do know that while enjoying her hearty, unaffected welcome, the good angel in each of her privileged guests got the ascendancy. Between her literary and her domestic duties there was no friction. The care of husband, children and home was her first duty, as it was her first desire; after that came the indulgence in expression through her pen.

It is often urged as an objection to the literary life of a mother and housekeeper, that the pursuit of literature and domesticity are incompatible, so that one or the other must suffer from neglect. The well ordered home, the dainty furnishing, the comfort and simple elegance of all that made up the home life of our friend, proves her a grand exception to, and a notable refutation of this charge.

I might extend this eulogy, and would gladly do so were it necessary, but it is not. In the hearts of those who love Mrs. D'Evelyn her memory will be always green, for

> "None knew her but to love her,
> None named her but to praise."

Dear comrades of the Pacific Coast Woman's Press Association, *we shall meet and we shall miss her*, but her vacant chair

may only be so to those of us whose eyes are "holden." In my own convictions I find it impossible to separate the conditions of spirit life in the "body celestial" from the operation and loves of that same spirit when it was revealed to us through the medium of our bodies terrestrial.

There is nothing, to my mind, to divorce her loving interest in our individual and combined good, because she has left the ever-changing fleshy tabernacle, which we call the body.

Where, oh tell me where, *is* heaven? Miles off through space inconceivable, and in conditions to which the soul, with its life-long experiences, would be a stranger?

Is it not more likely to be where love, and harmony, and that which "thinketh no evil" nor "maketh a lie" exists? And that condition can she find us in here, if we so will it.

"Therefore, blessed are they that mourn, because they shall be comforted."

To the San Francisco Polyclinic and Scotch-Irish Societies, of which our beloved Secretary was also a member, we extend our heartfelt sympathy. Love of humanity and love of native land, in true souls, ever go hand in hand.

May the occasion which has a second time within so brief a period called us together, unite us in a hereafter of fellowship and mutual helpfulness. There is no love-bond stronger than that of a mutual sorrow.

Joy and gladness is the goodly heritage, undoubtedly, of the right doer, and yet sorrow has its blessed ministry, for through it we obtain a deeper insight into the mystery of each other's souls, and feel more distinctly our kinship with the loving Father.

We will each—in our respective bands, take up the work—the never finished work of helping others—which has dropped so gently from the hands of Mrs. D'Evelyn.

We will think of her as being nearer to us than ever before, with a refinement of vision and a power to influence such as can

be used only by those who have burst the bonds of mortality. And after a brief while we will meet her.

"God keeps a niche
In heaven to hold our idols; and albeit
He brake them to our faces and denied
That our close kisses should impair their white,
I know we shall behold them raised, complete,
The dust swept from their beauty, glorified
New memories singing in the great God-light."

This brief attempt at eulogy of our beloved friend does not satisfy your hearts any more than it does mine, for words are such clumsy vehicles of expression at the best, and when the heart feels most the lips say least.

Yonder hangs a white ribbon. It bound the last offering of our Press Association—the white roses which Mrs. D'Evelyn loved so well.

The pencil of one of our gifted members has placed upon one end of the silken tie these words of dedication:

"From us who loved her well,
Who miss her sore,
To those who loved her better, better far,
And miss her more."

And on the other:

"In memory of a noble life,
Strong to the end,
As daughter, sister, mother, wife,
Companion, friend."

This defines it all, for *love* is the best interpreter.

Faithfully and lovingly hers,

NELLIE BLESSING EYSTER,

President Pacific Coast Woman's Press Association.

JULY 25TH, 1892.

The Lesson of Death.

TO S. T. D'E.

In memory of one whose breath,
Blessed all with words wise, loving, brave,
Whose life was service, and whose death
Unites our hearts around her grave.

Another blow has fallen, Lord—
Was it from Thee?
Is it indeed thy fiery sword
That cuts our hearts? We know Thy word;
We know by heart wherein it saith,
"Whom the Lord loves he chasteneth."
But also, in another breath,
This—"The wages of sin is death."

How may we tell what pain is good,
In mercy sent;
And what is evil through and through,
The consequence of what we do,
Sure product of thy broken laws,
Certain effect of given cause,
Just punishment.

Not sin of those who suffer, Lord,
To them no shame:
For father's sins our children die,
With justice sitting calmly by;
The guilty thrive nor yet repent,
While sorrow strikes the innocent—
Whom shall we blame?

'Tis not that one alone is dead,
Or these bereft—
For her, for them, we grieve indeed,
But there are other hearts that bleed!
All up and down the world so wide
We suffer, Lord, on every side—
We who are left.

See now, we bend our stricken hearts,
Patient and still,
Knowing thy laws are wholly just,
Knowing thy love commands our trust,
Knowing that good is God alone,
That sin and sorrow are our own,
And seeking out of all our pain
To struggle up to God again—
Teach us thy will!

When shall we learn by common joy,
Broad as the sun,
By common effort, common fear,
All common life that holds us near,
And this great bitter, common pain,
Falling again and yet again—
That we are one!

Yea one. We can not sin apart,
Suffer alone;
Nor keep our goodness to ourselves,
Like precious things on hidden shelves:
Because we each live not our best,
Some one must suffer for the rest—
For we are one!

Our pain is but the voice of wrong,
Lord help us hear !
Teach us to see the truth at last,
To mend our future from our past ;
To know thy laws, and find them friends
Leading us safe to loved ends,
Thine own hand near.

Not one by doing right alone,
Can mend the way ;
But we must all do right together,
Love, help, and serve each other whether
We joy or suffer ; so at last
Shall needless pain and death be past,
And we, thy children, living here,
Be worthy of their father dear—
God speed the day !

O, help us, Father, from this loss,
To learn thy will !
So shall our lost one live again,
So shall her life not pass in vain,
So shall we show in better living,
In loving, helping, doing, giving,
That she lives still !

CHARLOTTE PERKINS STETSON.

July, 1892.

MRS. SUSAN TAYLOR D'EVELYN.

She is not here, dear friends, and oh, so blindly
We see through misty tears,
With roses wreathed by tender hands and kindly,
Her empty chair appears.

So few the days, since gentle, quiet, seeming
So still, and yet so true;
We saw her smile among us, never dreaming
That Death would love her too.

Ah, had we known the shadow o'er her lowered
Of mighty Azrael's wing,
What wealth of warm caresses had we showered,
What passionate arms to cling!

We may not know; God's infinite mercy sealing
From all the book of fate;
But leave not, friends, the deepest, kindliest feeling
And tenderest smile, too late.

Sweet, sweet to feel that all our faults forgiving,
By friends in sorrow thrilled,
With snowy roses that we longed for, living,
Our dead hands shall be filled.

But in her name, whose generous heart poured gladly,
A full largesse each day,
Give to the living half we lavish sadly
On dumb and frozen clay.

Life is so short, so sad; oh, keep Love nearer
To sanctify our pain,
And as our circle narrows, hold the dearer
The friends who yet remain.

ELLA M. SEXTON.

OUR FRIENDS.

Dedicated to the memory of SUSAN TAYLOR D'EVELYN,
by MRS. S. I. DARLING, of P. C. W. P. A.

We walk apart, unconscious of each other's life,
Until, perchance, at morn or eve of some bright day,
At some unlooked for crossing of our daily way,
We meet a sudden friend whose pace with ours
So harmonizes in the impulse of our powers
We pause not, scarce yet conscious of that other life ;
Or strangely fancy that the onward path was made
To broaden and to seek by turns the sun and shade
That we two might together work, together rest,
That in this new companionship we might be blest ;
But while we listen to each other's pulsing thought
We sense a throng, all journeying toward the good we sought.
These, too, are friends, and as from this to that we turn,
Ere long a new, strange, glorious thing we learn,
As old and true as truth and yet till then unknown :—
That no one lives or dies, can live or die alone ;
For thought is human life, and thoughts are living things
That flash with surer swiftness than the lightning's wings,
And words, of voice or pen, are feeble at the best,
And leave the tender meaning still half unexpressed.

Why then, as one by one we drop the well-worn pen,
And turn deaf ears to all the praise or blame of men,
Should we be ever spoken of as "dead," as "gone,"
Or even mentioned in the softer phrase, "passed on?"

All that was real of our friend must surely live,
And still in true exchange of thought receive and give.
The paths that once have joined may have no end,
Eternity may leave us still our loving friend.

We gather these mementos in our jealous care,
And yet they're but "the garments that she used to wear.
Her thought, her life, her self would lay the garment by,
And say, like him who died at Azan, Friends, 'it once was mine, it is not I.' "

PACIFIC COAST WOMAN'S PRESS ASSOCIATION.

WHEREAS, Our beloved associate, SUSAN TAYLOR D' EVELYN, has passed from earthly presence; therefore,

Resolved, That, in her early death, the Pacific Coast Woman's Press Association has lost one of its most honored members; one who was a wise counselor, a zealous co-worker, and a faithful friend.

Resolved, That, although our friend died far from the country of her birth, yet, in this new land where her body rests, many loving hearts will cherish her memory. We lay upon her grave the shamrock of her native meadows, the thistle of her God-fearing ancestors, and the *golden poppy of the home of her adoption, but the breadth of her charity made the world her country, and all who suffer, her kindred.

Resolved, That we tender our heartfelt sympathy to the bereaved family, and pray that God will comfort them. May the Good Shepherd have the little motherless lambs in His tender keeping, and bring them, at last, to the Heavenly fold, where the loved and loving never say "Good-bye."

Resolved, That the usual badge of this Association, in mourning, be worn by members thirty days; that these resolutions be spread upon the minutes of the Association, and that a copy of them be sent to the family of the deceased.

EMILY BROWN POWELL,
Recording Secretary.

*[ESCHSCHOLTZIA CALIFORNIA, the State flower of California.]

SCOTCH-IRISH SOCIETY OF CALIFORNIA.

WHEREAS, It has pleased Almighty God, in His inscrutable providence, to remove by death the beloved wife and helpmeet of our esteemed fellow member, Dr. F. W. D'Evelyn, second Vice President of the Scotch Irish Society of California: now we, the Directors and members of said Society, desire to place upon record the expression of our most sincere sympathy for our brother, in this, his bitter visitation, and invoke in his behalf, and that of his motherless infants, the Divine blessing; and we pray that he may be endued with strength commensurate to his loss.

Resolved, That in the premature and sudden death of Mrs. Susan Taylor D'Evelyn, the Scotch Irish Society mourns the loss of an amiable and valued friend and fellow-worker, whose varied talents and accomplishments were ever used to enhance the social enjoyment of its monthly informal entertainments; but while expressing the keen sense of the loss which our Society has sustained by the death of our valued friend, we rejoice that we sorrow not as those who have no hope, for we feel assured that our departed sister has entered upon the enjoyment of an eternal felicity as the reward of a useful, loving and trustful Christian life as daughter, wife and mother.

Resolved, That this preamble and resolution be spread upon our minutes, and that the same be read at the memorial services in memory of the late Mrs. D'Evelyn, at Union-square Hall, on Monday, July 25th, 1892.

R. J. CREIGHTON,
President.

REV. J. P. DICKSON,
Secretary.

SAN FRANCISCO, CAL., 21st July, 1892.

Vires Acquirit Eundo.

GEOGRAPHICAL SOCIETY OF CALIFORNIA.

Incorporated 11th December, 1891.

PRESIDENT:

DAVID STARR JORDAN, M. D., LL.D., PH. D.
(President of the Leland Stanford Jr. University.)

VICE-PRESIDENTS:

FRED W. D'EVELYN, M. B. C. M., EDIN.
COLONEL JOHN O'BYRNE.

FRED'K W. D'EVELYN, ESQ.
M. B. C. M. Edinburgh, 219 Geary street.

My Dear Sir: At the meeting of yesterday, I was instructed to convey to you the expression of the Directors' heartfelt sympathy with

you under the burthen of your recent most sad and painful affliction. Such of them as are husbands and fathers, fully realize what a shock to your deeply rooted feelings, the loss of a dearly beloved companion must be, and unable as they are, to in any other way alleviate your grief, they earnestly desire that God may grant you patience under the bereavement; that time may gradually soften the blow; and that the love of your children may be for the present a solace, and as they mature in age, a great comfort in the future.

I need not assure you that I unite to the utmost with the Directors in their message of condolence; and believe me, my dear sir,

Very sincerely yours,

I. STUDDY LEIGH,
Secretary F. R. G. Society.

BOARD OF LADY PATRONESSES S. F. POLYCLINIC.

Friends: Words can but feebly express the sorrow that fills our hearts on the occasion of this sad but loving assemblage.

Our thoughts and memories of the beloved lady for whom this service is offered, are filled with everything calculated to but intensify our appreciation of the noble qualities of her mind and character.

A devoted wife, and mother; an indefatigable worker in the cause of the poor and distressed, an unobtrusive help-meet in everything edifying and elevating, our loss in the death of Mrs. D'Evelyn is almost inexpressible.

Taken suddenly from her loved ones—we are morally certain she was not unprepared—for the great summons which is to come to us all sooner or later, let us hope for her eternal rest, dear friends, and that the dear ones from whom she was so hastily summoned, may have the grace of resignation sufficient to say: "Thy will be done."

Whereas, As it hath been the will of our Heavenly Father to have taken our estimable and beloved friend, Mrs. Susan D'Evelyn:

And whereas, in the death of this our valued co-worker in our work of charity, the Patronesses of the San Francisco Polyclinic hereby express their feelings of grief and sympathy, to the bereaved husband and family of their beloved associate, and that a copy of these resolutions be engrossed and transmitted to the relatives of the deceased, and also a copy be spread on the minutes of the business meetings of the Patronesses of the San Francisco Polycinic.

MRS. M. H. DE YOUNG,
President.

MRS. A. P. WHITTELL,
Secretary.

TRAINING SCHOOL CITY AND COUNTY HOSPITAL.

DR. D'EVELYN:

Dear Friend: We have just heard of the sudden passing away of the beloved Mrs. D'Evelyn, and the sad news has filled my heart with sorrow, for our acquaintance, though not of many months, has been of the pleasantest nature. Her interest in our work was so genuine and kindly that we shall feel the loss of her presence and womanly counsel deeply. This thought would seem most selfish to your wounded heart at this time, only it bears the fragrance of her noble spirit, and the assurance that outside of the sacred home circle there is a deep sympathy for you and your little motherless ones in this sudden bereavement.

Please accept the sympathy of myself and pupils of the San Francisco Training School.

IDA M. FORSYTH,
Principal of Training School.

[By a strange coincidence the following obituary notice from the pen of Mrs. D'Evelyn reached the Press Association on the very day that the memorial services were being conducted, July 25, 1892.]

MRS. EMILY TRACY Y. PARKHURST.

Late Corresponding Secretary of the Pacific Coast Women's Press Association.

BY SUSAN TAYLOR D'EVELYN.

"There passed away in quiet slumber on the 21st of April, one of the gentlest spirits, highest intellects, most womanly, tender hearts that has enriched that band of noble women which has been the uplifter, the timely helper, the inspiration of our sex.

Mrs. E. T. Y. Parkhurst, the subject of this sketch, was the daughter of the Hon. John Swett, State Superintendent of the Public Schools, and a man of eminent ability as an educator and administrator in his own department. Her mother is a woman of much force and heroism of character, so that the natural heritage of Mrs. Parkhurst, combined with her own strong individual talents, most carefully cultivated, rendered her a force, a power for good, which we, her mourning friends, are only beginning to properly realize. The writer became acquainted with Mrs. Parkhurst when the latter so ably organized the P. C. W. P. A., and on attaining a fuller acquaintance, growing into a warm personal friendship, I could not but be amazed at the comprehensive, wide aims of the many branches of Mrs. Parkhurst's very busy life, which constantly increased in power and influence as her work developed. How such a young mind in such a fragile frame could so successfully accomplish the many calls her all too ardent intellect demanded from it, was an often anxiously asked question.

At a very early age Mrs. Parkhurst exhibited gifts as a writer, winning a prize—a gold watch—for a story when fourteen years of age. Her articles, many of them unsigned, have appeared in Eastern and Western papers and magazines. Four years ago she opened the "Pacific Literary Bureau," which proved a means by which the MSS. of women obtained a market.

But it may be that her name will be longest remembered as the organizer of the P. C. W. P. A. This Mrs. Parkhurst accomplished in 1890. Since its inception the growth, the power, the influence of this Association has steadily increased. When its officers were elected, Mrs. Parkhurst became Corresponding Secretary. Her quick intuition as to what would most benefit the association, her untiring vigilance where its interests were concerned, and above all, her ever present sympathy and practical help to the members individually, have made us feel how much we have depended upon her, how by her death our mainstay and centre have been rudely taken away, and we look in vain for another to take her place.

And yet, no! As our beloved Mrs. Sarah B Cooper said, in a letter to her sorrowing parents: "Our beloved Emily is no longer with us in her earthly vesture, but she has not withdrawn her sweet self from our presence, not separated herself from the work she so much loved. Not less but larger is her work; not faint but fuller is her pleasure in it. The conscious presence of my beloved departed is at once my strength and inspiration. "Our dead are never dead to us till we have forgotten them." They will never fail nor forget us, because we shall never fail nor forget them. How sweet it is to know that our dear ones are so deeply loved! I never knew more sincere nor earnest expressions of sorrow than were manifested at the funeral of our loved one. She had a knack of binding hearts very closely to her. How gifted and lovely she was—sweet, precious Emily. I used to look on her spirituelle face and fragile little form, with wondering admiration at her marvelous power of achievement. Her work is not fractured—it is only facilitated, advanced. No words of mine could so beautifully portray Emily Parkhurst as those of the tender-hearted, lovingly appreciative Mrs. Cooper. Let me add a few details.

A dear little daughter was born to Mrs. Parkhurst, and all the loved one's friends were anxious, knowing how frail in health the mother had long been. We hoped against hope, and loving hearts hourly pleaded in prayer for her life—so dear to husband, parents, so valuable to the cause of woman, of all that is good and of fair report—to be spared. But no! For three weeks the brave spirit struggled with the fragile form to keep hold of life, but the tender and delicate physique could not survive the terrible anguish of motherhood, and she died. At the funeral the church was filled with an audience whose faces showed such signs of deep sorrow and loss as have been seldom seen. Sweet flowers, that she loved so well, surrounded and covered the casket. We bore her to the cemetery where the dear one rests. But her spirit is with us. Her work will go on. We women of the W. P. A. feel that her influence will spur us on to be, and so do what was her heart's desire—that woman should arise from trifles to a sense of their powers, privileges and responsibilities as daugh-

ters, wives, mothers, citizens and patriots, and in every branch excel where women can and will do honorable work.

The P. C. W. P. A. held memorial services, to speak of how dear, how valued our late Corresponding Secretary was to us each and all. It was an occasion which will always fill the hearts of those present with a deep emotion of sad, yet sweet, sweet interest. From the opening words of our President, Mrs. N. B. Eyster, who in tenderest manner spoke of Mrs. Parkhurst, and then repeated the twenty-third Psalm, to the closing strains of that spiritual hymn, "Nearer My God, To Thee," "E'en Though It Be a Cross," (think of the condition of nearness,) we felt that we were in the very presence of God, Himself. "For God is Love," and our whole hearts were filled with love for one of the sweetest women He has ever sent to consecrate this beautiful earth.

Mrs. S. B. Cooper wrote and read the eulogy. Did not our hearts burn within us as Mrs. Cooper (who had known dear Emily for twenty out of her twenty-nine years of life) traced in most beautiful language of modest bounds, in tenderest appreciation, the character, life and talents of Mrs. Parkhurst? None other could have performed this duty so faithfully, in such sweet, refined taste as our most beloved First Vice President.

Another eulogy, by Mr. G. T. Gaden, who testified to the powerful influence for good that Mrs. Parkhurst exercised upon him personally, and several original poems followed. That poem composed and read by our Recording Secretary, Mrs. E. B. Powell, is as follows:

IN MEMORIAM.

EMILY TRACY YOUNG PARKHURST.

"My name is Life," a radiant angel said,
"I bring the sacred name of motherhood;"
Then turned to go his heavenward way, when, lo!
Another angel on the threshhold stood.

Before the awful glory of that face
The bright first-comer bowed his shining head.
"The smiles that welcomed me must melt in tears,
Since Thou art here, Oh, Brother Death!" he said.

'Mid twilight's gathering gloom, Death entered there;
Whispered, "The Master calls thee. Come up higher."
Closed to all earthly things, the earnest eyes,
And set his seal upon the lips of fire.

"She is not dead but sleeping," saith the Lord,
But tears are falling like the summer rain.
For her, who wearing woman's crown of love,
Sank 'neath the weight of woman's cross of pain.

A quartette, "Sleep Thy Last Sleep," was beautifully rendered, also a solo, "Angels Ever Bright and Fair." Then the duet, "Shall We Meet Beyond the River," made a break in the literary exercises. During the

latter, as Assistant Recording Secretary, the writer was called upon to read a few letters out of the many tributes of affectionate appreciation from members who could not be present. Never shall I forget the sea of sad faces, of sweet, womanly faces, of men friends, every eye swimming in tears, which many could not keep from overflowing as the exercises went on. It was a sight unique in grief, in sympathy, in a beautiful tribute of love for Mrs. Parkhurst. Surely she has not lived in vain to have become the centre of so much affection amongst us, to have evoked so much noble feeling of appreciation for the good, the true, the noble in herself.

Sweet flowers on her desk where her gentle face appeared in photograph, the vacant chair draped by loving hands, sprays of weeping willow, all speak eloquently of the tender regret, the clinging to memory of her, and the high esteem in which her sister members of the grief-stricken W. P. A. held Emily Parkhurst.

Resolutions were then read and passed expressing the deep regret of the Pacific Coast Women's Press Association for the loss of one so beloved by all, and extending sympathy to the bereaved family.

And so she has left us: we mourn her early death. But bear with me in repeating (for Emily Parkhurst's was a rare life, a rare character, one to be noted and studied well in these days of distraction,) her influence, her plans for the good of woman and thus of all mankind, if we are true to ourselves, to our privileges, can never die, but must go on to achieve that state of which our Lord spoke when He said: "The Kingdom of Heaven is within you."

OBITUARY NOTES.

MRS. SUSAN T. D'EVELYN, wife of Dr. F. W. D'Evelyn, and a writer of repute, both here and in the East, passed away very suddenly on Sunday morning, leaving a devoted husband and two young children to mourn her loss. The deceased lady was a native of the north of Ireland, and was but 34 years of age. Five years ago she was led to the altar by the doctor, then a veteran of the Zulu war, in which the Prince Imperial of France lost his life, and a few months later the couple reached San Francisco and at once decided to make their home here. While Dr. D'Evelyn was engaged in building a practice in his profession, his helpmeet decided to make use of her literary talents, and before long, under the *nom de plume* of "Kate McBride," became a frequent contributor to *The Call* and the Eastern press. She was a regular correspondent of the *Victoria College Magazine* and the *Chicago Woman's News*, and when the Woman's Press Association was established, became the assistant recording secretary of that organization, a position she continued to hold up to the time of her death. Among that association of writers

she was recognized for her ability, and highly esteemed for her qualities of head and heart. In her girlhood she suffered somewhat from the insidious disease to which she finally succumbed, but in advancing years she seemed to have outlived the trouble. Her married life was one of perfect health, and up to the moment when the fatal hemorrhage struck her down, there was hardly an instant warning. She had just time to arouse her husband and tell him she believed she was dying. A moment more and she passed away in his arms.

The funeral services will take place this morning at 10 o'clock, at Grace Episcopal Church, whence the remains will be carried to Cypress Lawn Cemetery for interment. On Monday afternoon next a memorial service will be held by the Woman's Press Association, in which the Scotch Irish Society and San Francisco Polyclinic (of which the deceased was an active member) will join. The service will most likely be at Union Square Hall, unless the Scotch-Irish Society should choose another meeting place meanwhile.

The many organizations to which Mrs. D'Evelyn belonged have sent handsome floral tributes to her memory. The classes of '92 and '93, of the medical department of the University of California, of which Dr. D'Evelyn is a professor, also united in sending a floral testimonial, which consisted of a pillar of choice roses surmounted by a sheaf of St. Joseph lilies.—*Call.*

Services to commemorate the good deeds of the late Mrs. F. W. D'Evelyn, will be held at 2:30 o'clock to-morrow afternoon, in Union-square Hall, 421 Post street. The exercises will be under the auspices of the Pacific Coast Woman's Press Association, the Scotch-Irish Association of California, and the patronesses of the San Francisco Polyclinic. Members of these organizations and friends of the deceased, are requested to attend without further notice.—*S. F. Chronicle.*

A LOVELY WOMAN PASSED AWAY.

[From WOMAN'S EXPONENT, Salt Lake City.]

At her home in San Francisco, Sunday, July 17th, there passed from our earthly presence, another loyal, active member of the Pacific Coast Women's Press Association, our Assistant Recording Secretary, Mrs. Susan Taylor D'Evelyn, the wife of Dr. F. W. D'Evelyn, a physician of note in that city.

The Press Association had no more earnest, active member, nor any worker therein a more faithful friend than Mrs. D'Evelyn. As a member of the Executive Board and several standing committees, she was untiring in her zeal for the success of the organization. She was the personification of all that is beautiful in Christian womanhood and happy

motherhood. The heart of each one of a host of friends, both men and women, goes out to-day in tender, but what would seem to be helpless sympathy, for the two little motherless children, who in the blissful ignorance of their babyhood, are yet unconscious of the depth of their loss, but who in the days and years to come will yearn in vain for the mother love and care that was given them so abundantly.

Besides her devotion to her husband and babies, Mrs. D'Evelyn found time in her active young life not only for her Master's work in the church, but to take hold wherever a helping hand was needed along the philanthropic lines outside, to identify herself with whatever humanitarian movements she could. Every interest of her husband's was hers. In his hospital work she was close beside him, having been foremost in the plan of the work of the Lady Patronesses of the San Francisco Polyclinic, which adjunct to that body has proved itself so efficient in supplementing the good work among the afflicted poor.

Mrs. D'Evelyn was a native of the country which has given to the world so many of its brilliant writers, Tom Moore, Sheridan, and Burke, the prominent among them. Her writings abound in that true native wit so rare a gift. For a number of years a beloved instructor in Victoria College, Dublin, she has since her residence in America been in correspondence with the *Victoria College Magazine*, and a contributor to other Dublin papers, beside her connection with the press of California. In her death the people of the Pacific Coast have lost another woman of earnest endeavor and inestimable power for good in the example of her unselfish life.

San Francisco. MINNIE V. LEWIS.

A GOOD WOMAN'S DEATH.

[FROM SANTA CRUZ SURF.]

[The death of Mrs. Susan Taylor D'Evelyn, Assistant Recording Secretary of the Pacific Coast Woman's Press Association, occurred on Sunday the 17th instant, in San Francisco. She was buried from Grace Episcopal Church on Tuesday last. To-day there will be a memorial service held in her honor in which members of the organizations to which she belonged will take part. The following notice is kindly sent to the *Surf* by Mrs. Matheson.]

By the death of Mrs Susan Taylor D'Evelyn, the Pacific Coast Woman's Press Association has lost one of its ablest and strongest members, and one who is sincerely mourned by all whose privilege it was to know her.

Mrs. D'Evelyn was a woman of strong individuality, highly educated, and possessed of unusual mental gifts. Born in Ireland of Scotch-Irish parents, she was a graduate of the famous Victoria College, and taught therein for some years most successfully, only resigning her position to

become the wife of Dr. Fred. W. D'Evelyn, a distinguished veteran of the Zulu war, with whom she left her native land and came to San Francisco, where they have since resided, making many friends and prospering well.

Mrs. D'Evelyn, notwithstauding her unusual mental attainments, was thoroughly domestic in her tastes; a devoted wife, a tender and loviug mother, unremittiug in her care for her household, and giviug her personal attentiou always to the care and training of her two lovely children. Never once did she allow her outside obligations—which were many—to interfere in any way with her family duties, and to see her in her pleasant home with her husband and little ones, was to see a picture of as uearly complete happiuess as this world ever shows.

As a writer, Mrs. D'Evelyn was distinguished for her unusually pure and correct English, and her clear and direct expression of ideas. She was a regular correspondent of the *Victoria College Magazine*, and the *Chicago Woman's News*, and was a valued occasioual contributor to the *Call*, of San Francisco, as well as to various eastern publications. An illustrated article of hers, on the linen bleacheries of Ireland, is soon to appear in the California Illustrated Magazine. Besides accomplishing much in a literary way, Mrs. D'Evelyn was an active member of the Scotch-Irish Society, one of the Lady Patronesses of that noble charity, the San Francisco Polycliuic (to the staff of which her husband is attached), and Assistant Recording Secretary of the P. C. W. P. A., in which association she was also Chairman of the Visitiug Committee, and a member of the Press Work Committee.

Her death was a peculiarly sad one, in that no time was given her in which to bid farewell to her bereaved family. Her married life of five years had been one of apparently perfect health—a weakness of the lungs, which had declared itself in her young girlhood twelve years siuce by slight hemorrhages, having been to all appearauce completely outgrowu before her marriage. Saturday evening she was as bright and cheerful as was usual to her, but on Sunday morning she was attacked in her sleep by a fatal hemorrhage, and had only time to arouse her husband with the words: "I am dying!" passing away as he raised her in his arms.

As a woman, Mrs. D'Evelyu was a noble example to her sisterhood. Her strict honesty of purpose and of speech, her high ideals, her utter freedom from the petty vanity and egotism to which human nature is prone, her uuswerviug devotion to duty under all circumstances, her broad and practical charity, which was manifested by deeds instead of words, her perfect uuselfishuess, and her true and tender heart, made her "one of a thousand," aud those to whom she was dear feel all too sadly sure that the place which she left vacant in their lives can never be filled this side of eternity.

The broad white ribbon which tied the offering of Annunciation Lilies sent to her funeral by the P. C. W. P. A , bore, besides the Association star, the following words beautifully painted thereon by Mrs. Charlotte Perkins Stetson. They express—though all too faintly—the sentiments of those for whose interests she labored so faithfully during her term of

office. Her badge, which she valued so highly, and which she had done so much to make a decoration to be proud of, was buried with her.

"In memory of a noble life, strong to the end,
As daughter, sister, mother, wife, companion, friend."

"From us who loved her well, who miss her sore,
To those who loved her better—better far—and miss her more."

FLORENCE PERCY MATHESON.

MRS. SUSAN D'EVELYN.

[S. F. CHRONICLE, July 19.]

Services in memory of the late Mrs. Susan D'Evelyn, were held yesterday afternoon, in Union Square Hall. The observance was solemn and impressive. An additional element of sadness arose from the fact that the death of Mrs. D'Evelyn was not only sudden, but the circumstances were peculiarly painful. She left two children, too young to know their loss, while another little one, who never saw the light of day, was interred with her. The services were under the direction of the Pacific Coast Woman's Press Association, the patronesses of the San Francisco Polyclinic, and the Scotch-Irish Association of California. The hall was decorated with great masses of smilax, maiden-hair, roses and pelargoniums. Over the chair of the President of the Woman's Press Association hung a star of golden marguerites, resting against a black crape veil. In front of the platform, on a small table, stood Mrs. D'Evelyn's photograph, amid white silk draperies and clusters of pale-purple sweet peas. The chair which she occupied as Assistant Recording Secretary of the Woman's Press Association, the "vacant chair," was covered with lavender crape and white roses.

The President's chair was occupied by Mrs. Eyster. On the platform were a number of ladies representing the Polyclinic and the Press Association.

The services were opened by the hymn, "Rock of Ages," sung by the quartet choir from Trinity Church, H. J. Stewart at the organ. Mrs. Sarah B. Cooper then made a prayer. Mrs. Nellie B. Eyster, President of the Woman's Press Association, read a beautiful and touching eulogy of the deceased. Mrs. D'Evelyn was most exemplary as a woman, a wife, a mother, a friend, and a Christian. She had a happy faith, and looked upon death merely as an orderly step in the development of a higher life. Mrs. D'Evelyn was born in Belfast, Ireland. Her maiden name was Susan Taylor. She was educated at Queen's University, Dublin. After traveling over the greater part of Europe, contributing

to a number of English and Irish periodicals, she came to San Francisco five years ago with her husband, Dr. F. W. D'Evelyn. At the time of her last illness Mrs. D'Evelyn was actively engaged in literary work. Mrs. Eyster closed by expressing sympathy with the bereaved family, and the societies with which Mrs. D'Evelyn was connected.

Mrs. Sarah B. Cooper then stated that she had just received the last number of the Chicago *News*, which, by a strange coincidence, contained Mrs. D'Evelyn's tribute to Mrs. Parkhurst, whose untimely death the Press Association had lately been called upon to mourn. Mrs. D'Evelyn's words of praise for the departed friend were equally applicable to herself.

Mrs. Charlotte Perkins Stetson read a solemn and philosophical poem, "The Lesson of Death."

Mrs. M. H. de Young followed with a short but beautiful and sympathetic paper, in which she spoke of the dead as resting in the presence of her Heavenly Father, praying that all remaining friends might learn to bow to the divine will, and expressing the kindest regards for the family and societies who mourned their loss. Mrs. de Young concluded by reading the resolutions of condolence adopted by the Polyclinic Association.

The quartet choir sang, "Jesus, Savior of My soul." Rev. Mr. Dickson read the resolutions adopted by the Scotch-Irish Society, and Mrs. Emily Browne Powell those of the Woman's Press Association. All were most tenderly and delicately worded. Mrs. Sexton read a pathetic little poem. The whole assembly then joined in singing the hymn, "Nearer, My God, to Thee," after which Mr. Dickson pronounced the benediction.

[SAN FRANCISCO REPORT, July 19th.]

Grace Church was well filled this morning, at the funeral services of the late Mrs. Susan T. D'Evelyn, wife of Dr. F. W. D'Evelyn.

Rev. Charles J. Mason, rector in charge, officiated. H. M. Bosworth, presided at the organ, and played Schubert's "Funeral March" as the coffin was borne into the church. Mrs. Breechimen, soprano, and Miss Westwater, contralto, sang a duet, "She Sleeps," afterward leading in the hymns, "When Our Heads Are Bowed With Woe," and "Nearer, My God, to Thee."

Mrs. D'Evelyn belonged to a number of charitable and other organizations, all of which were represented at the church. Her only relatives in this country, outside of her own family, are her brother, Edmund Taylor, and his wife. The bearers were Edmund Taylor, C. F. Young, E. P. Preston, E. Johnson, S. Symington, and G. E Caglieri.

A great many floral tributes of affectionate regard were sent in by friends. The deceased lady's frequently expressed preference in her

lifetime was for simplicity in flowers, and an absence of set pieces on such occasions. Her wishes were respected at her own funeral, and the flowers were for the most part grouped together in simple bouquets.

On the pall were a bunch of camellias, some white snowballs, violets, heliotrope, and a bunch of barley fastened with lavender-colored ribbon. The Medical Department of the University of California, of which Dr. D'Evelyn is a professor, gave an urn about four feet high filled with St. Joseph's lilies and surmounted by a pillar of roses. There was a large pillow of white and pink roses and lilies from St. Luke's Hospital, and an immense bouquet of white roses with a floral star, and fastened with a white silk ribbon, bearing the emblem of the Pacific Coast Woman's Press Association. The Scotch-Irish Society sent a pillar of mixed flowers with an arch of lilies; the physicians of the San Francisco Polyclinic gave a pillow of white flowers, and the lady patronesses of the same institution, a cross with an arch, and the word "Peace."

Among the members of the Woman's Press Association who were present, were: Mrs. Nellie Blessing Eyster (the President), Mrs. Sarah B. Cooper, Miss Eliza D. Keith, Florence Percy Matheson, Adeline E. Knapp, Charlotte Perkins Stetson, Lillian Plunkett, May Hoffman, Mary B. Stanton, Alice Carey Waterman, Mrs. Bollard, Mrs. Maria Taylor, and Mrs. M. E. C. Edholm.

The Polyclinic was represented by Drs. Regensberger, Wayne, Bowie, Bazet, Sherman, Redding, and by the following lady patronesses: Mrs. M. H. de Young, Mrs Martin Regensberger, Mrs. H. C. Dibble, Mrs. Bazet, Mrs. James Stewart, Mrs. W. D. O'Kane.

The Scotch-Irish Society was represented by R. J. Creighton, the President, and W. H. Cambell, of San Jose. A number of students were also present from the clinic taught by Dr. D'Evelyn.

The funeral services were concluded at the grave in Cypress Lawn Cemetery. Memorial services will be held next Monday in Union Square Hall, in which the Woman's Press Association, the Scotch Irish Society, and the San Francisco Polyclinic will unite.

Extracts from Mrs. D'Evelyn's Writings.

A Sketch.

"Wait, pet!" and she lifted the sweet child in her arms and ran lightly down a steep flight of stairs. These stairs led from a photographer's studio directly to a busy street of a western city. At the entrance to them there stood several fine show cases, where the mother, placing her baby down, said brightly:

"Now, darling, look at the pretty pictures, while mamma helps little brother down." The sturdy boy of 3½ years of age seemed a little frightened at the steep descent, and wanted mother's hand. The little baby girl looked obedieutly at the photographs, and a dainty picture she made herself with her rounded profile of almost faultless features, her fair curls peeping from her little black cap trimmed with swansdown. The black coat set off the fiueness of her complexion, and a happier little face was not to be seen. She knew that mamma would soon come back to her "Little Sweetie," as she called herself, and in the daintiest manner she slipped from case to case, turning her head knowingly ou one side as she approved of the very self-conscious faces before her. Happy childhood is always ready to be pleased.

The mother hurried up the stairs, aud strange to say there passed rapidly through her mind the sinister thought: "If any one should steal my baby," and with a rush she reached her boy, grasped him in her arms and quickly turned to descend. Ah! horror, just in time to see an evil-looking man seize her baby and pass out of sight before the paralyzed mother could realize what had happened. She almost dropped the boy as power returned to her, but uaternal instinct saved him from a dangerous fall. With the strength of a frenzied woman she reached the street, and, although slender and far from robust of constitutiou she carried that heavy boy for a long distance dashing, every one to the right aud left of the crowded thoroughfare.

"My baby, my baby," she cried; "the bad man, the fiend, has stolen my precious baby."

Soou the pedestrians understood the meaning of her despairing cries; at last a policeman appearing on the scene there was a rush of people following the lead of the auguished mother. Not a trace of the kidnapper, aud as the mother's heart sickened on remembering the horrible fate that might be that of her beautiful child, she almost faiuted away. Had no oue noticed the evil face close to the angel couutenauce of her baby's.

All too reasonable the mother's dread. For in the near neighborhood were several streets which were inhabited by a low class of men, and uo doubt into one of these miserable hovels her delicately nurtured child was taken. Too true, as was afterward learned.

* * * * * *

Evening—a quiet, refined home. A hush in the bedroom, brokeu only by the fever raviugs of a mother: "My baby, my baby!" as she tossed in the delirium of sudden illness. The doctor stood with watch in hand as he tried to count the fitful pulse. Hushed in a darkened corner stood a pale faced boy whom neither father nor nurse could lead from the room. He would not leave mother, she would soon be better. Little Sweetie would soon come home. Gentle Jesus would never let any one hurt his dear sister, for he had asked Hiu to keep her safe that day. And as the little fellow spoke with such firm belief in what he said, the father could ouly groan and turn away rebuked, and with a half believing, half despairing heart's prayer, that the little one might know better than them all.

Suddenly there was a commotion at the hall door, and in the silence of the stricken home heavy, dull sounds were distinctly heard, while the frightened servant hastened to learn the cause. The door flew open. Oh, joy! there was the little one clutched frantically in the arms of a woman, while just as the servant realized that the baby was safe at home, she noticed that an evil looking man rushed wildly away.

And the woman? The child? Reeling in mortal pain the woman staggered to a seat in the hall and spasmodically gasped out these broken sentences.

"Here baby, all lite. Me no hurt her. My bad man he stole her to sel. I bad too. But once I had a little baby. It lie in my arms, night and day. It die. I sorry for dis dear baby. I say I bring her back. My man he beat me, but me no let him hurt baby. See."

And the poor creature showed where the man had stabbed her in the struggle at the door. With a smile ghastly and yet beautiful, from the consciousness of a noble deed done the faithful creature gave up the baby, and fell dead at their feet. "She hath done what she could."

Fair reader, safe from all alarms in your sheltered home, you find it hard to believe that such a narrative as the above is possible. And the hearts of those who have seen these things would grow heavy with despair did they not believe that the omnipotence, the omniscience of God, would yet penetrate the ignorance and forever annihilate the cruelties that walk rampant upon the earth.

SUGGESTIONS FROM CHILDHOOD.

[CHRISTIAN GLOBE.—London.]

In a home thousands of miles away from me now, I remember, as a little child, how my mother used to sing in a sweet, sweet voice, as she sewed or went about other household duties. One day, and one day especially is distinct from many others. We children while at play would often be subdued as the soothing tones of mother's singing reached us. Have you ever noticed how in the home, at school, a troublesome child, a fit of temper, can be changed to good humour, to quietness, by the sound of a simple hymn or song? Try the experiment, mothers and teachers. Cheerfulness as shown in singing is a powerful antidote to crossness.

Our mother was accustomed to teach us hymns, psalms, and verses, as she continued her work, and on this particular day she was cutting out some article of clothing, no doubt destined for one of us. We were repeating that old hymn, "Blind Bartimeus." I never hear it now, nor the monotonous though quaint and sweet tune to it, but I believe it may be found in the old editions of Wesley's hymns. A little sister of

ours, Lydia by name, about five or six years old, with a spirit as pious and tractable as that of her Biblical namesake, found it hard to remember some of the lines. But one she never missed: "What a Saviour I have found!" And surely that is the sum, the foundation of all the beautiful incident of mercy—the grand truth for us all. And strange that, ere that little sister was ten years old, she went to join the Saviour whom she had so early found.

Again, in a crowded Sunday-school in Ireland, in a class of little ones, their eyes would brighten as she came to the line of the hymn: "Jesus loves me! The Bible tells me so!" The mere assertion seemed to satisfy every doubt, and anew the little voices would swell and strengthen in the refrain: "Yes, Jesus loves me; the Bible tells me so."

There is also a comical side sometimes to the different rendering these tender little ones give to hymns learnt in class. Did you ever hear about fifty children sing with lusty voices and right good will, "The Happy Land?" And did you ever wait for the inevitable mistake: "Where saints *and* glory stand?" And the necessary correction by the teacher seems to these just opening intelligences as a very unnecessary check to a fine volume of flowing song, "bright, bright as day" itself!

Again, in teaching two little children of my own, aged two and three years, respectively, we were repeating: "Gentle Jesus, meek and mild," and both pets are always ready, no matter how hesitating in other lines, when we come to, "Let a little child find place,"—is that prayer not all that is requisite?

The hymn, "When mother of Salem their children brought to Jesus," I have never heard abroad. My little ones, in learning it from the first repeating, always remember the line, "Cast your idols all away." Indeed, baby Nina always asks for "Cast o-or idols all away," when she wants it sung.

In many other instances have I noticed how children and young people often take the kernel of truth out of a hymn, poem, paragraph of history, or science, and easily retain the same; while extraneous issues, ornament, or added fact are forgotten or ignored. Is it not characteristic of that beautiful sympathy so highly recommended by our Lord, when in His loving words of welcome to the little ones, in His blessings as He took them in His arms and said: "For of such is the kingdom of heaven?" Did He not thus for ever ennoble and dignify childhood? With such an example, how our hearts should respect—should fill with love and sympathy for—children! S. T. D'E.

CAMPING OUT IN CALIFORNIA.

[VICTORIA COLLEGE MAGAZINE.]

Sometimes we go rowing in the afternoon, and then what lovely glimpses of river scenery! In places the trees clothing a steep bank on

one side of the river remind me of stately columns of a vast cathedral; another bend of the stream brings a high rounded hill into view, where the warm beams of the sun are pouring in richest profusion, while our little bark rejoices in the grateful shadow. On we row, not knowing what charms us most. A bed of yellow water-lilies tempts us, and one little hand of a two-year-old boy reaches eagerly over and almost upsets the boat in the desire to gain the pretty chalices. Surely these flowers are fitting homes for butterflies and beauteous beetles, for fairies, gnomes, and river satyrs.

TOWN OF BRAY—MEMORIES.

This waterfall is renowned for its beauty, and for the height from which it falls more than for its volume of water. Very fine it is, as the stream which forms it falls sheer over the rugged precipice, dashing itself into a long column of what appears as the most vapory tulle. In picturesqueness and beauty, Powerscourt Waterfall holds its own, even though one may have had the privilege of contemplating the overwhelming grandeur of Niagara, or the more sombre aspects of the Highland mountain torrents. Standing in a dignified attitude, ready for all assaults on his prerogatives, right in front of us, with his back to the cascade, was a majestic old stag. He possessed only one antler, having probably lost the other in one of his numerous encounters with other deer. He regarded us with disdain, as if beneath his highness' notice, and then trotted off. * * Lovely Wicklow! For hill and dale, for mountain and river, for freshness of verdure, for wealth of joy shading quaint ruins, for woods with thickest foliage, in which the birds sing sweetest songs, for beauty of landscape of sea and shore, no other place with its charms can compare. Is it any wonder that such scenes as are found in this favored country should inspire one of the loveliest ballads of the great lyrist, Tom Moore, where in the "Meeting of the Waters," so familiar yet dear to us all, he portrays the kindly feelings of kinship and friendship, while his enjoyment of the "Vale of Avoca" was more enhanced by human sympathy in look and tone.

> "'Twas that friends beloved of my bosom were near,
> Who made every dear scene of enchantment more dear,
> And who feel how the best charms of nature improve
> When we see them reflected from looks that we love"

AN IRISH BLEACH GREEN.

S. F. MORNING CALL.

Our home was a two-storied cottage whose walls were covered with a red-currant vine and monthly roses, and which was surrounded by beds of old-fashioned flowers, where the verbena, mignonette, the sweet faced narcissus, the cheerful marigold, the drooping columbine, and the lily-of-

the-valley grew. It was a happy home—each season brought its own delight. Ah! me—

"There is no fireside, howsoe'er defended
But hath one vacant chair."

What though some might call our lives, far from the city's gaiety, dull and prosaic in the extreme. What municipal entertainment or long-drawn-out procession could compare with the little stream where the water-ousel built her nest under the old bridge, where in the ivy the owl hooted at night, and the branches of the trees made gruesome shadows, or where our mechanical brother placed his little model water-wheel. How sweet the music of the water as it turned the, to us, wonderful machinery. With much trepridation our Stephenson would leave it out all night, and great was the satisfaction as early on the morrow we hastened to the bank to see the little wheel still merrily at work, to hear the rippling water, sweet as an Æolian harp. * *

A MORAVIAN SCHOOL.

[THE CHAPERONE, ST. LOUIS.]

On an eminence some distance behind the church, is the grave-yard. Here one is struck by another quaint custom of the Moravians; men are buried on one side, women on the other. Some comic reflections on this arise, but I refrain. Fine, old trees lend shade and seclusion to this sacred spot.

There are many very old graves here, some bearing dates of the 17th century.

A dear friend and I often chose this *silent land* for our evening walk, and as the shades of night descended, as "still evening came on and silence was pleased," we thought of distant homes, of future days, of what life might have in store for each of us.

And the rooks in intermittent caws, gave a weird ageness to the scene, belated insects or restless birds formed an accompaniment to our dreams as we silently promenaded arm in arm. * *

(This was the last article written by Mrs. D'Evelyn; and now—as one in the "silent land"—life's mystery is solved, and the twilight of Time, with its uncertain shadows, has given place to the glorious dawn of an eternal day.—W. F. D'E.)

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GENERAL JOHN BIDWELL

A Short Biographical Sketch of General John Bidwell.

General John Bidwell was born August 5, 1819, in Chautauqua County, New York. His father, Abraham Bidwell was a native of Connecticut; his mother, whose maiden name was Clarissa Griggs, was a native of Massachusetts. His principal and last schooling was in Kingsville Academy, in Ashtabula County, Ohio. He walked three hundred miles to reach that school and worked for seven dollars a month to get means to attend it.

In 1839 he went to Iowa, and thence to Missouri. In the spring of 1841 he, in company with sixty-eight other men, women and children, started across the continent. Bidwell was then in his twenty-second year. At that period Great Salt Lake was represented to be 400 miles long and from it two large streams flowed to the Pacific. The party was advised

to take tools for boat making so as to float down to the western ocean.

After many hardships they crossed the Sierras on the headwaters of the Stanislaus River and passed up the San Joaquin Valley to Sutter's Fort. At this time there were about one hundred Americans, British and Germans in California.

Mr. Bidwell was employed by Captain Sutter, enlisted in the defense of this State against the insurrection of the native chiefs, Castro and Alvarado in the revolt of '44 and '45 and acted as aid-de-camp to the close of the war.

He was appointed by General Fremont, whom he ante-dated by two years, Magistrate of the San Luis Rey district. In 1849 was elected to, but did not get notice in time to serve in, the first Constitutional Convention at Sacramento, but in the same year was elected and did serve in the Senate of the first California Legislature.

In 1860 he was a delegate to the National Democratic Convention at Charleston.

In 1863 he was appointed commander of the Fifth Brigade, California Militia. The following year he was elected to the Lower House of Congress. Two years later he was offered the nomination for the same position

but declined. In 1875 he was nominated for Governor on the non-partisan ticket.

In 1868 he was married to Annie K. Kennedy.

He was the first to discover gold in Butte County, in March, 1848, near the old town of Hamilton, and employed large numbers of Indians in mines at Bidwell Bar, named after himself. He bought the Rancho del Arroyo Chico, and settled at Chico in 1849 and owned, during the remainder of his life, one of the finest estates in California.

From this estate of over 20,000 acres he gave a $10,000 site for a forestry station, a $15,000 site for the Normal School and sites for five churches in Chico.

He lived a long and exemplary life, until Wednesday, April 4, 1900, he was suddenly stricken down and in a few hours passed from earth.

The officers of Butte County called a meeting to express their sorrow over his demise and pass resolutions eulogizing his life and character. These and the addresses given by some of the officers, comprise the body of this little work, which is dedicated to his memory.

Address by Judge John C. Gray.

On Wednesday, April 4th, the sad intelligence was received of the death of General John Bidwell, which took place at his residence near Chico, in this County and State, on the afternoon of that day. In the morning he appeared to be in his usual health, and went, with a number of men, to that part of his ranch where he was building a road, and took part in the work. While so engaged he was suddenly stricken with some trouble of the heart, and was taken back to his residence, where he lingered until about half-past two in the afternoon, when he quietly and calmly passed away.

The news of his death quickly spread, not only over our State, but over the entire Nation, for the knowledge of his worth was not confined to the Pacific Coast alone, but was coextensive with a knowledge of the history of California. The fact that he was a resident of this part of California when it was yet a part of the Republic of Mexico; that he aided in making this a part of the United States, and that after the territory had been acquired by

our Government, he had taken an active part in bringing California into the Union as a free state, and the further fact that he assisted in the organization of Butte County, and had thereafter, up to the time of his death, been a resident of that County, made it a duty on the part of the officers of this County to take such steps as should show in a marked degree our respect to his memory, and therefore a call was issued for the judicial and executive officers to meet at this Court-room on Thursday, April 5, 1900, at ten o'clock, to take such action as might be agreed on.

The meeting was organized by the election of myself as Chairman, and Deputy Clerk C. F. Belding as Secretary. After an informal consideration of the matter, the following committees were appointed:

On Resolutions—Hon. A. F. Jones, Colonel H. T. Batchelder and Supervisor O. P. Ormsby.

On Attendance at the Funeral—District Attorney Jo D. Sproul, County Assessor A. E. Morton, Supervisor E. T. Reynolds, Sheriff S. H. Wilson, and Treasurer R. S. Kitrick.

This evening was fixed upon as the proper time to hear the report of the Committee on Resolutions, and such remarks as gentlemen have to offer on the life, character and death of General Bidwell.

The Chairman of the Committee on Resolutions (Major A. F. Jones) is compelled to be absent on important business connected with the Odd Fellows' Home, and the Resolutions will be read by Colonel Batchelder, and the Eulogy, prepared by Major A. F. Jones, will be read by Carleton Gray.

To the Officers of Butte County:—We, your committee appointed to draft resolutions in respect to the memory of the late John Bidwell, respectfully report as follows:

Resolutions.

Whereas, in the closing year of the nineteenth century, death has called from the confines of Butte County, one, who for over half of that century, has been its foremost citizen, and has labored ardently in making its history; by whose efforts the general prosperity and comforts of its people have been immeasurably increased, their social and educational conditions advanced, their priviliges of arts, literature, science, travel and visitation extended; and the commercial interests of his home have become a record of one prodigious growth of resources; and one who believed that only those things are true gains in the world's operation which tend to the improvement of mankind and to their general happiness; and

Whereas, in his public life, John Bidwell ever cultivated a spirit that enabled him to take a healthly, sound, and cheerful view of the struggles and movements of human society, believing that its tendency was toward improvement, and not towards retrogression; and in his private life was a person of kindly and benignant disposition, friendly alike to his well-to-do and to his poorer fellow-citizens, genial and social, yet dignified and self-contained; in conversation always moderate and respectful; shrewd in observation, with a perennial humor and love of pleasantry; always concerned in the interests of his town, his State and country; ready to confer to a just degree, and satisfied to secure the best possible, if not the utmost that was desirable; one to whom the people turned in local emergencies for guidance and counsel in public affairs, fearing not to trust his honor and wisdom; so free from offense that there was no tongue to say a word against the pure integrity of his intentions; too generous to provoke envy or jealousy, revered by all his associates; helpful and kind to the young and the weak, and caring less for profit than for the success of the great cause of benevolence in accord with the moral and religious tendencies of his conscience.

Therefore be it Resolved: That by the death of John Bidwell the County of Butte has suffered an irreparable loss of a public benefactor; its citizens have lost a leader; its com-

mercial industries a guiding spirit; its churches and moral institutions a pillar of support; its younger members a living example of integrity and moral worth for their guidance in their course of life, and its public officials an exemplar of purity in political life.

And be it Further Resolved: That a copy of these Resolutions be engrossed in the records of the Clerk's office of the County of Butte; published in the papers of the County; and a copy thereof be sent to the widow of the deceased in token of our heartfelt sympathy for her in her bereavement.

Respectfully submitted,

A. F. Jones,
H. T. Batchelder,
O. P. Ormsby.
Committee.

Eulogy by Hon. A. F. Jones.

Read by Carleton Gray, Esq.

Mr. Chairman: In moving the adoption of the Resolutions just presented, I give as the reason therefor that the history of Butte County points with unerring certainty to the truth of each fact stated therein.

General John Bidwell was one of the earliest of a band of devoted pioneers who left their Eastern homes and came to the unknown West to risk their lives for a fortune, and sought to "hew from a mighty ashlar, the form of a Sovereign State."

Before he had attained the age of majority, away back in the year 1841, he was one of the few whose coming was described as "the first low wash of waves where soon will roll a human sea." He came and cast his lot among those men and in this land, and in the pride of his youth, the strength of his manhood, and with a vigorous mature age, fought his way to the surface, through fierce opposition, and with unbending resolution, built up a home in the region he had learned to love.

That his efforts have immeasurably increased the general prosperity and comfort of the people, is to be seen on every side in the modernized "City of Roses" of our County, and heard in the song of every bird that finds a home of safety among the trees which shade the drives of beautiful "Vallombrosa" where he loved to work, and where the messenger sent to summon him to the other world found him.

That the educational conditions of the people have been advanced; that their privileges of art, literature and science have been extended by his efforts, is evidenced by that proud monument standing upon the spot he loved to beautify, and which he gave for the purpose of the building of the first State edifice erected in Northern California—the State Normal School of Chico.

That he was able to up-build the resources of this County is evidenced by the records of its productions—not within the confines of the State of California, not within the boundaries of the United States of America, but circumscribed only by the limits of our entire globe.

That in his public life he believed that the tendency of human society was towards improvement, and not towards retrogression, was seen in his political course and public career;

ever seeking to drop the crude and remove the rough edges from his surroundings; to direct the current of human desires towards beauty and civilization, and as a man long trained in the lessons of human benevolence, to walk as a calm conqueror through the midst of the world's tumult.

That he was of a kindly disposition towards his fellow-citizens—the well-to-do as well as the poorer—was shown by kindly acts which number in the thousands and glitter out like bright stars upon the firmament in contrast to the darkness which enshrouds the selfish soul.

That he was one to whom the people turned in local emergencies for guidance and counsel in political affairs, and whose wisdom and honor was trusted, let us look to the pages of our State and National history to find the name of Bidwell inscribed upon the records among those chosen to lead their fellow-men.

That he was revered by his fellow-men is evidenced by the murmurings of sorrow at his death, which started, like a tiny rivulet, from the home in Rancho Chico, and, swelling into a mighty wave, flowed into every old mining camp and to the remotest valleys of the western coast of the American continent, and then turned back to the place from whence it

started, where thousands of sad hearts gathered and tendered their last testimony of respect to his memory.

It is for these reasons, therefore, that I move the adoption of the Resolutions—poorly indicating our feelings, but which, in the natural course of human events, as directed by an all-wise Providence, afford the only means of expressing the thoughts that lie within us, and giving a tribute to the memory of one of the fathers of our County, who now lies peacefully at rest—"Life's long conflict done; Hope's eternal estate attained; Faith finished, and the Crown won."

Address by Jo D. Sproul,

District Attorney.

May it Please the Court:—Looking back through the lights and shadows of fifty-nine years we may in fancy picture a young and vigorous American, as to age, upon that happy neutral ground that lies between the fairy domain of childhood and the stern and rugged hills of real life. The time that comes to all of us—but once, ere the rude blasts of disappointment and defeat have paled the flush of hope and confidence. That time when the mind of youth, buoyed by the health and strength of wakening manhood, scorns the teachings of the ages and builds its castles on fame's highest peaks.

What hopes he had, what dreams he dreamed, what castles he builded when on desert sands, untracked and unknown, or over mountain heights his little company dragged its weary way. What were his night thoughts when alone he gazed in awed silence on the "bright and shining pathway of the stars"?

For them there could be no refuge nor asylum of rest; for him who wearied there could be no waiting; for him who sickened, no cooling draught nor kindly hand to soothe

the aching brow; for him who fell, a rude and unmarked grave. For them no pillar of cloud by day led on, nor column of fire by night burned torch-like in the sky. Beset on every hand by savage beasts and men yet more savage and untamed, the terrors of that journey grew so great that of all that company that had set out from one particular community, all save one sickened at heart and turned back, all save John Bidwell, and he alone crossed over the Missouri, the then frontier of the Nation, and set his face toward the setting sun. Thus the boy gave prophecy of the man. For him there was no turning back. When once he set his hand, believing himself right, no question of personal discomfiture, no question of public opinion could change or bend him.

What were the trials of that little band in that long, weary march, has passed into history. How at last on that September evening from the summit of the Sierras, they looked across the brown plains of the San Joaquin and 'neath the haze and golden glow of autumn saw the Coast Mountains, sharp and black against the passing day, and wondered what lay beyond. Was that the wall that held back the broad Pacific, or were there wildernesses yet to be subdued beyond those unanswering heights? And now they pass down that mighty slope,

down through the giant sequoias of Mariposa, standing eternal watch in nature's silent camp; all these he saw and knew that no man of his race had before stood in that majestic presence, and his soul, ever responsive to nature's grandeur, was stirred to its very depths, and hunger, thirst and wearied limbs were forgotten in adoration at nature's shrine. Down across the hot, low hills, and at last on the plains of San Joaquin they learn from Indians that this is California, and to the northward lives the white man. After three days, the gray adobe walls and high stockade of Sutter's Fort break on the view of these worn travelers.

Sutter's Fort! An asylum whose every part should be held a sacred heritage by every man who loves his State. Sutter's Fort! The Mecca of the pioneer, towards which all faces were set, all feet were turned. Did they hunger, Sutter had food, and to spare; did they grow sick and faint, Sutter nursed them back to health and strength. Born on foreign soil, he was more than American. Adopted son of the Golden State, he was most loyal child to most ungrateful mother. A few years ago in a little town in Pennsylvania, in obscure poverty, Captain John A. Sutter died; and beside that grave stood but one woman, one mourner, the wife of John Bidwell, comrade of his day

of pride and power. A great State has marked his resting place, tardy requital for one who did so much to make her great.

And now what life, what activity! As the trusted lieutenant of Sutter, we see the young surveyor locating the site of the old mill at Coloma.

We can in fancy picture him laying out the very mill-race, where, with wondering eyes, Marshall gazed on that golden globule that ordered the march of empire to this western shore and let loose the golden stream that saved the Nation in its day of greatest peril.

We see him as the soldier, leading his little company from Monterey to San Diego, and, as to this, let him, in his own simple eloquence, speak, as he did in answering a charge once made during the heat of a political campaign, that he had sworn allegiance to Mexico: "And they tell you I am not a citizen of the United States. In 1846, at the head of a little band of Americans, I marched from the Bay of Monterey to the fort at San Diego; I found the flag of Spain flying from the fort; with this arm I pulled down that flag and raised the Stars and Stripes, and they are floating there today."

We see him as the miner among the canons and gorges of our own golden Feather, wrest-

ing the yellow gold from jealous earth; hopeful, earnest, and splendid in his strength. We see him at evening climb to the little cabin, stopping, perchance, to gaze upon the slowly darkening hills and listen to the roar of rushing waters, for nature, to him, ever spake a varied and happy tongue.

We see him on the broad acres of Rancho Chico. We see the wide expanse of waving grasses, where the wild deer and antelope scurry away and the Indian roams, a king in an empire of plenty.

We see him as the herdsman, as at early morn, brushing the dew from waving grass, he passes with his train of picturesque vaqueros with jingling spur and whistling riata. We see him when summer's drowsy noontide heat invites repose, resting beneath the spreading branches of the oak and vine. We see him at evening in the old adobe villa, welcoming the guest with that knightly courtesy that ever marked him among men.

We see him, with prophetic hand, beautifying the landscape; we see the olive, the fig, and the vine replace the thistle; we see the cereals of civilization installed where the wild grains grew dense and rank; we see the herds improve in quality; we see the broncho of the plains replaced with nobler breeds; we see the intelli-

gent hand of the master reclaiming the wilderness and inviting civilization to a land where, under one sky, may be found the wealth and beauty of a world.

We hear the school bell break the silence of the ages; we see fair childhood come trooping down the paths where Nature's herds were wont to pass.

We see the church spire lift above the virgin forest, and hear the voice of praise and prayer wake new echos in God's first temples.

And all of this he saw, and much of this he did!

We see him in the National Congress, active, earnest, and patriotic — by his voice and vote maintaining the honor and credit of his country in those dark days when war had left its blight upon the Nation.

We see him as the husband, proudly leading home the woman who crowned his life with honor and with happiness, who was to him, in every hour, in sorrow and in joy, in prosperity and adversity, comrade, adviser, true and loyal wife. To have been so much to such a man! Could prouder heritage be left by man to woman?

'Tis a far cry from 1841 to 1900. Empires have been carved and crushed within that span. Men whom the world call great have come and

gone again within that cycle, but this man's page in history, viewed in the light of a lifetime, stands ever clear, clean-cut, and rugged as yon western mountains 'neath setting sun.

He was the ideal pioneer; in discovery, in research, in the domain of thought we find him fearlessly treading unknown paths and blazing the wilderness for generations yet to be. In every expedition looking to the uplifting of humanity, in every movement leading mankind to higher planes and broader fields, we find this pioneer spirit ever controlling. It was the master principle of his life, the mainspring governing and directing a grand existence.

No man more proudly marched in the front rank of advancing thought and progress. To him who had aught to offer of useful invention; to the thinker who wrought for the betterment of the race, his mind was open to receive, his purse was open to assist.

And through it all he was ever the same. The question has been often asked and variously answered, "When did John Bidwell become a religious man?" If by that is meant, when did he become a professed Communicant with some particular denomination, or sect, I know not, nor was that event more than incident in his life. John Bidwell was ever a good man, always a pure man,

from first to last a man of high ideals, aiming and hoping for something better, striving for the best.

So he lived, and when death came unwarned, swift and painless, it found him, as ever, ready. And he went, not like the stricken pine midst winter's storm crashing headlong to earth with roar and echo, but gently and noisless, as if a tired flower had folded its leaves at sunset and slept.

Would we build a monument to this man? Then, let it not be of granite nor of marble to crumble and decay. Let it be not of bronze to blacken and yield to the resistless hand of time. Rather let him live in the memory of a grateful people. Let those Sierras, whose heights his feet first trod, be for him monument and epitaph. Let spring-time zephyrs that woo the wild vine and golden poppy along the paths he loved so well, chant for him requiem and dirge; for so long as the oak shall lend its beauty to the plain, so long as wild flowers shall spread their mantle of gold and purple on the hills of old Butte, so long as the golden Feather shall bear her treasure from its mountain fastness, so long as his own loved Arroyo shall, midst vine and grass and fern, go singing to the sea, so long in the hearts of our people will live the memory of John Bidwell.

Address by Colonel H. T. Batchelder.

Mr. Chairman: The place and the hour well comport with our condition—this temple and the hour of closing day.

Firm without severity, generous without ostentation, suave without flattery, and moral without publication, he stood in the front rank of good men.

The flags of our city demonstrate the general sorrow—to us a great star has set.

The population of the United States has sprung into such vast numbers, and the last five decades have been so pregnant with renowned men, that scarcely a week passes without our metropolitan papers noting the death of some great or good man, and sometimes, one both great and good. Other parts of the Republic have been orphaned, and the Pacific Coast is now forced to drink her bitter cup.

A sturdy pine, the oldest and tallest in our forest, has fallen—so gentle was the fall that only the flowers cut in his pathway gave fragrance.

Lord Byron says: "It is a fearful thing to see a human soul take wing." Not so sir, with our illustrious dead. With no shocking skill he contrived the transition.

John Bidwell, for years, had been walking in the radiance of that light which forever increases to the last of the dawns; in truth, might he say, "At eve I pitch my tent, for day's journey nearer home." The Empire State gave him birth, the Golden State a sepulchre. Born in the western part of the State of New York, sprung from the loins of a hardy ancestry, nurtured in classic by a vigorous citizenry, within a few hundred miles of the sacred house that blows across old Plymouth Rock, he crystallized into a manly boy.

His young ambition turned Westward—California was his goal—he knew that land of promise, he heralded across hearts and savage men, lived the untrodden wilderness, crossed rivers, deserts, mountains unknown and unnamed, and were-done by two years Colonel Fremont, whose history is pleasant to call the "Pathfinder."

It were folly for us to attempt the virtues of John Bidwell. They are known where he is known, they cannot be hidden or disguised, but like stars in a cloudless night, they

will shine and continue to shine, on and forever on.

The highest eulogy that can be pronounced would be a recital of his daily life.

General Bidwell was a many-sided man—as a scientific surveyor he surveyed, mapped out and built a hundred miles of driveway on the Rancho Chico for his employment and gratification, and as a source of enjoyment for his friends.

He expended thousands upon thousands of dollars upon the Humboldt Road, opening an avenue for the people of Plumas and Lassen Counties to reach the districts of the rich valley below. When almost eighty years of age he camped by the roadside for weeks at a time, overseeing the work.

For a score of years he was the greatest grower of cereals in the Republic, and the greatest horticulturist on the Pacific Slope. The flour from his rolling mills must be the whitest, the butter from his creamery the yellowest, his vegetables the freshest, his cherries the largest and blackest, and his peaches the most juicy. The product on which he labored must excel.

How varied are the ambitions of man.

In 1821 a storm of the highest severity broke upon the barren cliffs of St. Helena, where,

fretting in exile, the mighty Napoleon paced the limits of his cage; weakened and worn he lay on his restless couch. The storm, whose birth was on the ocean, overturned houses, uprooted trees, leveled forests, and tore from its moorings an old oak, the pride of the dethroned monarch. In the acme of that wild tornado of nature, fighting over again the battles which made earth tremble, the spirit of the insatiate Emperor went out; he was a prince of war. John Bidwell was then two years outside of the womb of nature. A long, peaceful and illustrious life stretched out before him, but now the hour of dissolution approached.

With that transcendant sight, such as love gives to vision, his devoted wife saw the Specter crouching about him. Not many hours before the fatal bow was drawn, high up on the mountain's top the storm king was playing, the winds had left their caves, the horizon was rapidly covered, the lightnings darted from cloud to cloud, balls of ice shot from the upper currents, striking this temple of Justice like leaden hail, the hour was fixed.

When the last day arrived, as the faithful coachman took his seat to drive to the place of labor, between the General and himself, though unseen by us, the Specter rode.

We know not how far out from the Eternal Throne the song of the Angelic choir may reach; we believe, however, that in the economy of the Omniscience, when that divine essence, which we call life is recalled, to His own beloved safe convoy is given.

John Bidwell was a devout follower of the Immaculate Son. He was kind and generous to his race, loyal to his country and filial to his God.

Of all the inheritances he leaves to us and posterity, his example is greatest.

"He did not say good night, but in some brighter clime, good morning." He was a prince of peace.

Officers of Butte County.

John C. Gray.....Superior Judge
Jo D. Sproul.....District Attorney
A. F. Jones.....Deputy District Attorney
S. H. Wilson.....Sheriff
John Guidery.....Under-Sheriff
H. T. Batchelder.....Clerk
C. F. Belding, Jas. C. Osgood.....Deputy Clerks
E. B. Ward.....Recorder and Auditor
R. S. Kitrick.....Treasurer
W. T. Baldwin.....Tax-Collector
A. E. Morton.....Assessor
A. M. Smith.....Deputy Assessor
R. H. Dunn.....Supt. Public Instruction
Dr. P. F. Bullington....Coroner and Admin'r
B. L. McCoy.....County Surveyor

Board of Supervisors.

O. P. Ormsby — E. T. Reynolds
J. W. Gass — T. V. Fimple
E. C. Wilson

cB

A TRIBUTE

TO

THE MEMORY OF

BRODERICK.

KING & BAIRD, PRINTERS, SANSOM ST., PHILADA.

A

FUNERAL ORATION

UPON

DAVID C. BRODERICK,

LATE SENATOR FROM CALIFORNIA,

DELIVERED

AT THE CHAPEL OF THE NEW-YORK UNIVERSITY,

On Sunday Evening, Nov. 20th, 1859.

By JOHN W. DWINELLE, Esq.,

OF ROCHESTER, N. Y.

ROCHESTER:
BENTON & ANDREWS, BUFFALO STREET.
1859.

H.A.6Mr17

Mr. Broderick was mortally wounded in a political duel, near San Francisco, California, just after the close of the September election in that State, in 1859, and died three days afterwards.

ADDRESS.

Citizens of New-York:—Nine weeks ago to-day the fairest city that ever adorned the coast of the Pacific, presented a singular and impressive spectacle. In the midst of the city a vast concourse was assembled, and before them, dead in his coffin, lay a Senator of the United States. Over him, in strains of more than Roman eloquence, a gifted orator recited the record of his virtues, the struggles of his life, the victories of his patriotism, and the history of his sudden and untimely death. Then, with one impulse, the great multitude lifted up the bloody bier, and without the peal of music, or the flaunting of banners, or military pageantry, but with the majestic silence of grief, and with a noiseless tread like that of the "innumerable caravan" of the dead, wended its slow and solemn way up to the heights where the Lone Mountain marks the silent Necropolis; and there, looking down at once upon the great rivers of the interior, upon the majestic stream which pours its outflow through the portals of the Golden Gate, and upon the placid Pacific, the Church, with averted face, consigned its son to the eternal tomb. To-day, this great metropolis, washed by the waters of the other ocean, pours out her thousands in honor of the same illustrious dead. The fact suggests inquiry. Who, then, was this Senator of the United States, whose memory thus vibrates on the heart-strings of a people across a whole continent; who thus receives those honors hitherto bestowed only upon the great senatorial names of Clay, Calhoun, Webster and Benton? Who was this man, whose funeral obsequies are thus celebrated on either ocean? He was one who, twenty years ago, in this city, worked at the daily toil of a stone-cutter's apprentice, but who, orphaned, poor, unaided by accident, unfriended by wealth and power, lived to become a cultivated and educated man, a leader among his distinguished compeers, and finally attained a position in our government only second to that of the Presidency. Of this man I have come to speak to you. He was for a long time your fellow-citizen. It was here that he endured the severest privations of his early life; it was here that he formed that high resolve which lifted him from the obscurity of his first condition; it was here that he took the first step upon the great, difficult ladder of fame which he so successfully

ascended; it was your kindness which first cheered his hopeful heart; it was your support which stimulated him to his noblest efforts; and when, at the end of his probation, he went out into a larger field of action, competent to cope with men of greater advantages, of larger experience, and of equal intellect, he was as much your work as his own. For the people of this city he ever felt the deepest gratitude and the warmest affection. I am certain that the highest personal ambition of his life was fully gratified when he returned here, clothed with senatorial honors, justifying your early support, and more than fulfilling your fondest predictions.

Of this man, who, in many of the most essential elements of greatness, was fully equal to any of the illustrious men whose names I have just mentioned, I come to speak with such preparation as circumstances have permitted to me. For I knew him well. Six years we lived together as citizens of San Francisco—six years the most important to him of any period of his life. Originally prejudiced against him by the slanders which clouded his life and pierced his heart, I first learned to respect him for qualities the reverse of those which had been attributed to him; next I admired his firmness, his frankness, his careless bravery; and finally his gentleness and magnanimity won my regard, and "I became his captive for life." But it was as his personal, and not as his political friend. In politics we rarely acted together, but often opposed; and when we made a common cause, it was only because our circles came into contact; they never coincided, or even intersected; our stand-points were different. It is then as his personal friend that I come here to speak his eulogy. In doing so, I intend to avoid all allusions to the transient politics of the day; the only politics to which I shall refer, will be that which involves the science of good government and devotion to principle. I shall not even attempt to pass upon or characterize the great political measures to which he lent his support, and for which he was willing to sacrifice his life. I see too many shades of political opinion represented before me to expect any unanimity on such points, and a want of taste in this respect would raise too many side issues to impair the teachings of the great lesson of his life, and obscure the moral of his death. With these preliminaries, which I trust do not exceed the privilege of personal explanation, I bring my offering to the grave of the departed.

David Colbertii Broderick was born in the City of Washington, in February, 1819. His father, an Irish immigrant, was a stone-cutter in that city; an honest, industrious artisan, respected and withal somewhat prosperous in his vocation. It was with a mournful pride that his son, then a Senator of the United States, years afterwards pointed to the capitals surmounting the pilasters which adorned the Senate Chamber, as bearing the marks of his father's chisel. From some cause the elder Broderick removed with his family to this city, where he died in 1837, transmitting no heritage to his children, but that of an honest name, and leaving David, a youth of eighteen, charged with the support of his mother and of a younger brother. The death of his mother followed soon afterwards, and a terrible catastrophe, which deprived his

brother of life, left DAVID alone in the world, with no recognizable kindred, and made a melancholy and profound impression upon his character. Obtaining a release from the indentures into which he had entered with a master stone-cutter, and being advised by his physician that that occupation would be injurious, and probably fatally so, to his health, he abandoned that laborious calling, which afterwards, in the Senate of the United States, he described as "one of the most laborious mechanical trades pursued by man—a trade that by its nature devotes its follower to thought, but debars him from conversation." Meanwhile, he had created so favorable an impression of his personal worthiness, as well as of his integrity, perseverance, and business capacity, that means were furnished him to open one of those large, well-appointed houses, partaking of the nature of a political club-room and of a public house—a social feature peculiar to New-York. Mr. BRODERICK, although the proprietor, was not the personal administrator of this establishment; while his *employees* carried out its details, he was engaged with his studies in an upper apartment, or occupied himself with social or political intercourse. In this enterprise lies the sole basis of the charge of "keeping a grog-shop," which has sometimes been brought against Mr. BRODERICK; an accusation which, as involving the charge of being the proprietor of an establishment where wines and liquors are sold for social purposes, might with equal honesty be brought against the proprietors of all the great public houses of the United States and of Europe. This imputation we therefore pass now and forever.

Meanwhile, Mr. BRODERICK'S reputation had grown beyond the boundaries to which his modesty had confined his operations, and he had become an acknowledged power in the political organization of his party. With this recognition of merit, came a tender of its common and ordinarily expected rewards, and he was successively offered nominations to each board of the City Council, and to the Assembly and Senate of this State. These he declined. In 1846, as a means of usefulness and discipline, he consented to be elected to a Convention called by an act of the Legislature for the purpose of forming a new charter for the City of New-York; of which body he was an active and efficient member; and, although the youngest delegate, he was often called to the chair, to preside over its deliberations. But with increased knowledge, and with a consciousness of improved capacity and power, he had attained to the ambition for a seat in the national councils. At the age of twenty-seven, in the year 1846, this cherished object seemed within his grasp; he was nominated for the office of Representative in Congress, but was defeated by a division of the vote of his party in his district. But in this contest, the men of his own original class, the artisans, the mechanics, those whom he had befriended with his money, with his advice, with his personal countenance and assistance, it is worthy of remark, as equally creditable to them as to him, were true to his support.

In 1848, the first discovery of gold was made in California, and the tidings spread with the rapidity of an electric flash over the world.

Mr. Broderick, without crediting the more than Arabian fables which accompanied the announcement of the discovery, with his intuitive powers of rapid analysis and recombination, at once satisfied himself that the gold production of California was an undoubted fact, which, whether brief or long continued, must bring at once into rapid and prosperous development the great agricultural and commercial resources of that country, with which he had become acquainted in the accounts of the explorations of Wilkes and Fremont. To that new empire of the Pacific—a worthless desert to most observers, but to his prophetic eye swarming with an energetic population—Anglo-Saxon in laws and language and in political affiliation, if not in blood—in sorrow and yet in hope he betook himself. In sorrow, at the disruption of so many ties of friendship and of genial association; in hope, that when the vortex of political chaos should have subsided, the strongest in will, in discipline, and in acquirement, might ride the topmost wave.

In the Autumn of 1849, we find him laboring at San Francisco as an assayer of gold, in the garb of an artisan, yet rapidly accumulating the wealth which wholly relieved him from the bondage of his early years. In 1850 he was elected to the Senate of California, from the District of San Francisco, for the period of two years; in 1851 he was elected President of the Senate, to fill the vacancy in that office caused by the promotion of Lieut. Governor McDougal to the office of Governor, upon the resignation of Gov. Burnett. At the close of that year, Gov. McDougal resigning his office for a special purpose, Mr. Broderick became, for a short time, the actual Governor of the State; but, modestly shrinking from the notoriety of an accidental position, he desired that the fact might not be made public unless some executive emergency should make it necessary; and, none such occurring, the fact did not transpire until long after the event. In 1852 he was again elected to the Senate of California; and in this year, and also in the years 1853 and 1854, his friends made unsuccessful efforts to elect him to the Senate of the United States. In 1856 he succeeded in this effort of his ambition, and took his seat for the full term of six years, in 1857. In September, 1859, he was numbered with the dead.

Such is a brief epitome of the history of David C. Broderick. Should we leave it here, it would provoke both inquiry and surprise. It would be asked: "How, then, was this humble artisan advanced from this lowly to this high position? Did he progress from one point to another by the mere succession of one year to another? Or, as the wave of emigration cast him upon the Pacific shore, did its merely blind and senseless political reflux cast him back again into the Senate of the United States?"

Broderick was no favorite of fortune. She never smiled upon him. Her favors were extorted by conquest, never granted willingly. He became great because he first appreciated his own weakness; he became accomplished because he recognized his own deficiencies. When, as an artisan's apprentice, he first reflected upon the uncongenial toil to which he seemed hopelessly condemned, upon the high mental and moral enjoyment which education and culture bring to their possessors, upon the

conquests of discipline and skill; when he determined that he, too, would become learned, and cultivated, and disciplined, such were his force of will and power of perseverance, that the victory over adverse fortune was already half accomplished. A business which occupied but little of his time gave him ample leisure for study and opportunity for thought; he exhausted vast treasures of reading, and cultivated the acquaintance of learned and gifted men. If learning *is*, in any sense, power; if the object of education is, indeed, the acquisition of skill; if he who has attained this knowledge, and has disciplined himself to its skillful use, may be called educated, then was BRODERICK an educated man before he went to California in 1849.

Arriving at San Francisco, he found himself in a new position. He was completely emancipated from the fetters of tradition and association which had hitherto confined him. The elements of a great political and commercial empire floated in chaotic disorder around him. The Hispano-Mexican dominion had sunk under the spear of conquest, and the country, without passing through the territorial condition, existed under the abnormal pupilage of a military pro-consulship, ready to emerge into the complete sovereignty of a Constitutional State. How he here experienced the vigor of a new youth, how he felt himself equal to every political and personal emergency, the epitome of his history, which I have already given, sufficiently shows.

But when I cast my eyes over this crowded audience, most of whom have come here to honor the obsequies of one whom they knew and respected, the reflection strikes me forcibly, how few there are, even here, who really knew DAVID C. BRODERICK. True, you knew the exterior of the man as he was ten years ago, his daily appearance, his outward deportment, his general acquirements; but few, indeed, were aware of the stores of information, and treasures of culture which, by patient study and modest industry, he had already amassed. But how few knew him as he was after the last ten years of his life had done their work upon him—the ten years which he spent upon the Pacific coast! Ten years constitute a large portion of the life of any man—whether they be years of sickness or of health, of hopeless toil or of well-directed mental culture. Ten years is a longer period than that which is usually devoted to the academic and special education which is supposed to qualify a young man for any one of the learned professions. We leave the mere child reading a toy-book at his mother's knee—we return at the end of ten years, and find that he has already become a prominent merchant, or is a promising divine; he is a successful advocate or a leading politician. Is it to be supposed that a period of ten years could be lost to the life of such a man as BRODERICK? If while he was here, slowly and painfully emerging from the forced toil and ungenial obscurity of his early life, he still devoted his nights to laborious study, and his days to earnest thought—is it to be believed that when he had reached a land where there existed no prejudices against his early condition, where the paths to political distinction opened themselves to him with a welcome invitation, and where sudden affluence relieved his life from the carking cares of business—is it to be

believed that when those studies, that mental discipline, that careful cultivation, which before were so genial to him, had now become a necessity of his position, he would renounce them all, and, instead of advancing, retrograde? The supposition was as absurd as it was variant from the fact. Instead of abandoning his studies, he enlarged their scope, deepening the foundations of his knowledge, and widening its range. And so Time brought to him a rich harvest of those fruits which she promises to assiduous cultivation. Ten years of patient study, ten years of daily converse with the exemplars of English literature, ten years of parliamentary discipline and of political leadership, shed their refining and exalting influence upon his character and position; and so, when, at the expiration of his term of voluntary exile, he again landed upon your shores, clothed with the dignity of a Senator of the United States, his acquirements, his manners, and the conscious pride of his bearing, fully justified the choice of his adopted State. Yet even among those who knew him well, there were but few who suspected the extent of his attainments. He was no pedant, flaunting his memorized reading in society; he was no literary coxcomb, vainly parading the treasures which he could not appreciate; but one who cultivated a modest pride in concealing the vast additions which he had made to his stores of information and culture. In this connection I shall make no apology for citing what has been written of him by one who knew and loved him well, himself an accomplished gentleman and an elegant scholar, the Hon. Frank Soulé, of San Francisco:

"Few people, even of those who were on intimate and friendly personal relations with Mr. Broderick, were aware of the extent of his reading, or of his varied and thorough acquirements. The politician and the ambitious man of the world, as he appeared to most people, was the worst side of his character. His intellect was of the quickest and most comprehensive order, and his will was so powerful as to enable him to concentrate his whole mind on any given subject. Hence, in the midst of the most exciting political contest, he could at will withdraw his mind from it, and give the closest attention to whatever he was reading. His active intellect compelled him to read, for he had little relish for vulgar amusements, and his tastes always inclined him to be very much alone. He was almost an ascetic in his life and habits. His passions and appetites were as completely subject to his will as ever were Napoleon Bonaparte's. Accordingly, he read immensely. Of classic English literature he had read everything; and what he read, he analyzed, weighed and considered. His nights were spent over the works of the 'grand old masters.'

"No one who did not know him intimately, would have supposed, on meeting him in the street, that he had spent half of the night previous in reading the most abstruse poetry. Yet very likely such was the fact. The works of all the great poets were as familiar to him as household words. His tastes led him to admire the weird-like, subtle, and mysterious. Of all English poets, he especially admired the mystic, spiritual, incomprehensible Shelley. Tennyson, too, was a great favorite of his; so was Wordsworth. But how few of those who supposed

they knew him well, had any idea of his rich stores of classic knowledge! He had such a disgust and aversion to anything looking like pedantry or affectation, that only very few, and those his most intimate and trusted friends, were aware how extensive was his reading and how general his knowledge of books and men. He also felt his want of early education, and distrusted himself very much when books and literature were under discussion. Yet, as he grew older, and came more in contact with men, he more fully appreciated his own powers; and, had he lived, he would have attained a high position in other fields than that of politics."

This, be it observed, is the testimony of a personal and not of a political friend. The same gentleman also writes as follows: "In speaking of the habits and tastes of the honored dead, I speak that I do know. I have seen many men of eminence, and have looked upon the faces of nearly all the great men of this generation; and in all the qualities that make up the hero, whom men admire for courage, nerve, and unhesitating devotion to principle, I have seen none who equalled David C. Broderick.

"During a long personal intimacy, I can recollect no act unworthy of a man—nothing that either party would object to having the whole world informed of. I have walked the streets for hours with him when the world was wrapt in slumber, and conversed on every conceivable subject, but have never known him to give expression to a low or ignoble thought. I was his friend, and knowing him so well, shall cherish with pride his memory to the last."

If we now turn to the contemplation of the qualities which fitted him eminently for a political leader, we find them strongly marked and conspicuous. He had a scorn of falsehood and prevarication which it exceeded the power of language to express. He had a love of truth, a directness of purpose, a simplicity of manner impressing conviction on all ingenuous minds, and confounding the craft of his opponents. He had a bold, outspoken frankness, a tenacity of purpose, an indomitable will, and an unflinching bravery, which commanded admiration and often conquered success, even when they did not win conviction. He was quick of perception, ready in resource, faithful in friendship, true to his pledges, consistent in principle. Withal, he was placid in demeanor; his smile was winning, and the natural tones of his voice in conversation, often as gentle as those of a woman. In morals he was pure, far beyond the common standard of public men. In his last campaign in California, when he felt the wing of the messenger of death fluttering over him, he said on one occasion in public: "The man is not living or dead who ever saw me at a gambling table, or in a brothel, or under the influence of intoxicating drink." This mingled boast and defiance was a proud one, and the assertion was true. If we may not say there are few who can truly say the same, we can yet declare how many there are among the statesmen of the world who cannot truly make the same proud and truthful boast! But if he had great merits, he had great defects also. He was often too open and free of expression, sometimes employing unmeasured denunciation, when silent contempt

would have been equally or even more effective. He was often too bold, too fond of effecting by sheer force of will, what might have been equally well accomplished with more moderation. His openness prevented him at times from a cautious withholding of his plans until they were sufficiently ripe, and made them liable to surprise and counterplot. He was too magnanimous; he could not believe that the same generosity which would conquer himself, would not subdue others. He was too often deceived by those who came to him with professions of friendship or repentance; when he forgave an offence, he seemed to forget that it had ever been committed, although the injury might have involved treachery to himself or a betrayal of his confidence. He was sometimes imperious even beyond the privilege of a party leader; he often offended, and sometimes estranged those who thought that even in the emergencies of an unexpected crisis, they ought to be consulted. This last, however, was not owing to a defect of temper, but to a principle which Broderick assumed, that to be a leader, one must be acknowledged as qualified to *lead*, and that in a sudden crisis, he becomes a dictator so far as regards the parliamentary or personal tactics of his party. He sometimes made great mistakes, but they were errors of policy and tactics; they never involved consistency of purpose or of principle. These were his greatest faults, but even these were the faults of a great, generous nature, "whose very failings leaned to virtue's side."

It was, doubtless, fortunate for his country, although a source of melancholy to him, that Broderick became isolated, with no kindred to participate in his fortune and his success — that he had no wife or children to share in his affections, or to distract his purposes. The man lost in domestic enjoyment, but the public gained in the efforts of his undivided patriotism and singleness of purpose. Simple of tastes, with no expensive habits, and disbursing more for purposes of religion and charity than was demanded for all the other outlays of his life — whether personal, political, literary or æsthetic — he was above corruption, because he was superior to avarice or to the lust or necessity of gain; and the only temptations to which he was subject as a public man, were the stimulus of a patriotic ambition, and the cravings for an honest fame.

It has been brought as a serious charge of inconsistency against Broderick, that his avowed convictions in regard to the existence of slavery in the territories, were of recent origin. I do not think that I violate the proprieties of this occasion, or the programme which I have laid down, by stating that he committed himself, at almost the outset of his political career in California, to the same principle. In the year 1852, a statute was passed by the Legislature of that State, enacting that any slaveholder who had voluntarily taken his slaves into California under the Mexican dominion or laws, with the intention of residing there, and had thus given them, what was, at that time, held to be an implied manumission, might still revoke the act and return them into slavery. Broderick, who was then in the Senate of California, opposed to the end the passage of this law; thus not only invoking the specific personal opposition which he encountered during the rest of his life, but proclaiming long in advance those views of constitutional law in whose

faith he lived and died. I mention this merely as a biograpical fact, without wishing to make or elicit any expression as to the political principle involved.

Such being the man, such the noble earnestness with which he had raised himself from an humble, but not ignoble position, it was the grief of his great heart that he was, to the end of his life, pursued with the most malignant slanders. The purity of his personal life could not be assailed, and, he was therefore accused of coarseness and brutality of manners, and in terms of the most derogatory slang. Broderick had been a fireman in early life, and the foreman of a fire company, and the malice of slander degraded him to the level, and ascribed to him the tastes and manners of an imaginary fireman — of such a nondescript brute as would not be suffered even to approach an engine house. Not that this was directly asserted, but rather insinuated by the systematic and repeated use of the terms I have indicated, until many good men came to be prejudiced by them. A most respectable member of the last Congress, not a political coädjutor of Mr. Broderick, said to me a few days ago: "I expected to find something of the 'rowdy' in Broderick, but I found him very gentlemanly, and of very mild and pleasant manners. He had no vices; he was even indisposed to festivities of any kind. One thing impressed me very much, the strong conviction of his perfect truth and candor, which every thing he said carried with it. He formed his opinions very rapidly, and when once formed, nothing could turn him from them. I liked Broderick."

Another gentleman, also differing from Mr. Broderick in polities, said to me: "I went into the Senate of the United States alone to see how many Senators I could recognize from the descriptions I had read. Some I recognized, but I found no one answering my idea of the 'rowdy Senator' Broderick. I was, however, so much impressed with the appearance of one large, fine-looking, gentlemanly man, that I asked his name. That was Broderick!"

A Senator of the United States, a political opponent of Mr. Broderick, bears this testimony: "We were members of the same committee. Our acquaintance ripened into sincere friendship. He was a man of marked characteristics. He impressed upon me the conviction that he was a man of iron will, inflexible resolution, indomitable perseverance, and of undoubted courage, truthfulness, and sincerity. He was a man of nice sense of honor and justice; he despised meanness and dishonesty; he was plain and outspoken in the expression of his opinions. For him I entertained sentiments of respect and affection; I deeply deplore his death, and shall ever cherish his memory."

Such were the prejudices which Broderick had to encounter, and over which he was ever victorious; such the respect which he conquered; such the warm personal affection which he inspired among those who knew him best; such the tributes which strangers and mere acquaintances and sorrowing friends bring to the tomb of the dead Senator.

This is the proper time, and perhaps the last available occasion, to enter a protest against several harsh judgments which have been called out by the late catastrophe; and I now protest against them as an

American citizen, as a friend of Senator BRODERICK, and as one who was formerly a citizen of California. Listen to the language of an educated Englishman, in reference to this very matter—one who is no bigot, but a true cosmopolite, liberal in his views, catholic in criticism, genial and well informed :—

"That California is, in all the essential points of civilization, at least a half a century behind the States upon the Atlantic shores, is a truth of which most of us have hitherto had a vague consciousness. But the duel, the news of which has reached us during the past week, has impressed that truth upon us with a sudden, clear and deep impression. We see a Senator of the United States openly and deliberately shot to death by a Chief Justice of the Supreme Court, in a duel which was known to have been for sometime impending, and which was witnessed by nearly a hundred spectators. * * * * *

Now the fact that one of the parties to such an encounter as this is a Senator, and the other a Chief Justice, and that they met with seconds, and fired at the word, does in no whit elevate it essentially above a murderous street fight. * * * * * * *

When we reflect, too, that the encounter was not the consequence of differences strictly personal, but merely of what may be called political personalties between the Senator and the Judge, we see yet more clearly how low must be the moral tone, and how unrestrained the passions of a community in which such a quarrel could take place, and be openly pushed to such a bloody arbitration."

Let us test for a moment the truth insinuated in this sarcastic taunt. If, from the long array of eminent politicians and able statesman who ruled the destinies of the British empire for the period of thirty years, from the year 1800 to 1830, we should select a list of eight persons, how could we form a more brilliant constellation than by accepting the names of Pitt, Fox, Sheridan, Castlereagh, O'Connell, Wellington and Peel! If a hundred well-read students of history—if any hundred well-informed Englishmen—were to make such a selection, at least six of these names would be found on every list. For these men were the "bright and particular stars" of the period of English history which they illustrated. They were all men of education, of high social and political position, genial and humane. And yet all these men submitted themselves to the law of the duello. Sheridan fought Mathews in 1772; Pitt fought Tierney in 1798; Fox fought Adam in 1779; Lord Castlereagh fought Canning in 1809; O'Connell fought and killed D'Esterre in 1815; Wellington challenged and fought the Earl of Winchelsea in 1829, and Peel challenged O'Connell in 1830. All of these duels, except that of Sheridan, were strictly political duels, growing out of political speeches or publications. It is, moreover, worthy of particular remark, that in two of the most prominent of these instances—that of Wellington and Winchelsea, and that of O'Connell and D'Esterre—there was really no ground for challenge which the challenged party was bound to admit as valid. But the Duke of Wellington having said in the House of Lords, "If I could avoid, by any sacrifice whatever, even one month of civil war in this country, I would sacrifice my life in

order to do it;" and the Earl of Winchelsea afterwards using expressions which the Duke thought had a tendency to provoke a civil war, Wellington, acting under a feeling of conscientious patriotism, and official responsibility, whose integrity and earnestness have never been disputed, challenged the Earl, and did his best to kill him on the field. When O'Connell called the Corporation of Dublin a "beggarly Corporation," and was challenged by D'Esterre, a member of that Corporation, he might have avoided the duel by pleading the impersonality of the offensive language. But he accepted the challenge, saying: "This seems to me not a personal, but a political affair. I am obnoxious to a party, and they adopt a false pretense to cut me off. I shall not submit to it. They have reckoned without their host." And he killed his adversary at the first fire. With these instances before us, I think we may well retort the taunt, and ask: Is it true, then, that England has only just thirty years emerged from the lowest state of barbarism? Is it true, that if Lord Palmerston should, in one instance, indulge in the sports formerly practiced by the chiefs under whom he held office, the British people could be justly stigmatized as savages? Is it true, that the people of the State of New-York, among whom the duello has not been practiced for the last fifty years, are, therefore, twenty years in advance of the English in civilization and refinement? Or, is it not rather true, that the duel is to be judged as an exceptional institution, and that its results are to be characterized as the consequence of murder, cowardice, self-defence, or patriotism even, according to the exigencies or circumstances of the particular case?

I protest, again, against the assumption often made, and sometimes even admitted by the friends of Senator Broderick, that he needlessly submitted himself to the law of the duel, or that he carelessly exposed his life in this particular instance. The recognition of this institution by him was imperative. It was the necessity of his condition as a political leader in California. He could not have retained either position or influence a moment, without acknowledging himself answerable to such appeals. It was within his option, indeed, to accept or reject that leadership, but when he once accepted it, he took it with all its incidents. If the cause whose championship he undertook was worth, in his estimation, a thousand lives, then was he justified in exposing his own life in his hand—"pinning his heart upon his sleeve for all men to pluck at." If, when some three or four years ago, a gallant young representative in Congress from the North, whose sentiments and religious views rendered him averse to the arbitrament of the duel, still, when that test was imposed as the condition of free speech and of legislative liberty, announced his determination to accept it and to abide the issue—the whole nation, without shade of political partizanship, applauded the act; shall we find it difficult to pardon Broderick that he acknowledged a law which he did not make, one to which his opponents were amenable, and one which protected him from violence until the great political battle in which he was engaged was terminated? If we visit our censures severely anywhere, let it be upon those who sustain this institution by their social sentiment; upon the political community whose legislative

statutes express a higher morality than do the habits of their lives. I raise no issue here as to the cause or conduct of the fatal encounter in which he lost his life; he felt that he stood in a charmed circle out of which he could only fight his way; possibly he might have effectively denied the right of this particular adversary to call him to the deadly combat, but it was characteristic of his magnanimous courage that he accepted the first issue which was tendered to him. What mattered it to him before whose pistol he was to stand, or before whose fatal fire he was to go down?

I protest, again, in behalf of the fair fame of California, against the unnecessary continuance of this deadly custom. I understand well, for personal experience has taught me that, that when the necessities or customs of a country demand that private citizens should carry arms, the custom of the duel arises as a measure of self-protection, as substituting a more regulated violence for the fatal issue often following rapidly upon hot words, or for the hasty tragedy of street encounters. It is some protection to one's life, that when the pistol is pointed to his heart, or he is proffered the arbitrament of a fight in the street, he can calmly invoke the benefits of a regulated code, claiming the advantage of delay, the interposition of friends, and of something like an equalization of chances. Certainly the condition of the duel is something better than the others which I have described, although I do not pretend that it is more infallible in awarding its issues than other human institutions are. Such was, for a long time, the condition of California. But that condition has now changed. Every element of a high civilization has been introduced, and in all that marks the highest point of progress, San Francisco will compare well with her older sisters. Why, then, should this custom prevail, when its only possible justification has utterly vanished? Why should San Francisco and California, by permitting this institution to continue, still proclaim to the world that such a social necessity exists, when in fact there is no longer the least occasion for it? Why longer tolerate a custom so confessedly unequal in its events—which exposes the brave to the mercy of the coward, the strong to the weak, the good to the worthless, the inexpert to the "trained trick of the weapon?"

At the close of the last session of Congress, Mr. Broderick was urged by many of his friends to employ the recess in a visit to Europe. Such a diversion would have been very grateful to him. While but a boy, he had proposed such a tour as one of the possible, but scarcely looked-for, achievements of his life; but now, as a man, as a politician, and as a growing statesman, qualified by extensive reading, and by a careful study of history, such a visit would be interesting in observation, fruitful in suggestion, and valuable in result. Secure for the next four years in his senatorial position, and wearied with the toils of an unsuccessful campaign, a less brave or a less conscientious politician, would have evaded the struggle of the coming election in California, in which he could have hardly hoped to succeed. Not so with Broderick. He not only renounced the cherished pleasure of his life, but accepted the alternative, although he clearly saw defeat in the issue, and death in

the vanishing point of the vista. He had already not only settled in his own mind where his duty lay, but had, wisely or unwisely, determined the nature of the contest.* It was to be one thickly studded with personal issues, and in those issues he saw abundantly sown the seeds of death. Against all the weapons which would surely seek his life, he could not even hope to stand—it was even almost "hoping against hope" to expect that he could defer the personal sacrifice until after the political contest had been terminated. And so when BRODERICK slowly passed out of the Senate Chamber—which he felt that he was never to enter again—so, when the golden cross of Trinity reflected to him for the last time the gleam of the setting sun, as city, and island, and coast sank down in the deepening twilight into the obscurity of ocean, and he departed for the last time to his loved Pacific State, to enter upon his last contest, feeling that the black messenger of death fluttered over him with its inevitable message, I cannot conceive, or draw from history or fable a spectacle more mournful or sublime. For this consciousness of the coming catastrophe was not a mere superstitious presentiment, the nightmare of shattered nerves, of a disordered imagination, or of a weak intellect, but the conclusion of a sound judgment, acting clearly and deliberately, and as certainly as upon the ordinary business of life, "foreseeing the end from the beginning."

To what, then, shall we liken his procession to the final sacrifice? Not, certainly, to the sudden impulse which hurled Curtius into the gulf which opened to swallow up the destinies of Rome; not to the desperate valor of Leonidas, which hoped for vengeance rather than for success; but rather to the self-immolation of some greater hero, who binds the sacrificial wreath upon his own brows, and extends himself as a victim upon the altar; rather to some Prometheus, even more sublime than the conception of the poet, chaining himself to the cold and solitary summit of Caucasus, and offering his own breast to the eternal vulture. "You will see me no more!" was his mournful prediction to a friend who grasped his hand for the last time upon the departing steamer. Alas! how his heart was wrung to utter those words of hopeless farewell! So, when the death-bolt had reached him, and his mournful presentiment was fulfilled, how noble was the feeling which prompted him to suppress all personal resentment, and to express only the regret that the leadership of his party was struck down with him: "Let my friends take courage by my example, and, if need be, die like me. Let it not be believed that my death resulted from a few idle

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* Most *unwisely*, beyond a doubt. He weakened his cause by mixing personal with political issues; he was more than unwise in one instance, in arraigning the living upon a rumored accusation by the dead. This last campaign embodied at once the greatest victory, and the second and last great mistake of his life: for, while he conquered prejudice, and exalted himself before the people as an able and popular debater, and a fearless champion of his political principles, he yet invoked his own destruction by the programme which he adopted. His presentiment of its fatality to himself was so strong, that, before leaving New-York, he designated the two gentlemen whom he wished to announce his death in the two houses of Congress.

words, or from anything but my political position." Such were his dying words; such most undoubtedly, his dying conviction; and, if these indicate the lofty purpose with which he accepted the call to the deadly field, I do not see how he could have avoided that issue. As a Christian man, with a horror of murder that I cannot express, and with a clear perception of all the circumstances, I still cannot see how BRODERICK could have retained his leadership, and have declined the fight. Doubtless, his purposes and his mental conflict are well embodied in the language of the great German: "Here I stand—I cannot do otherwise; God help me!"

And as to that leadership, thus borne to the ground in the fall of BRODERICK—of him who always took courage even from defeat, and, like his kindred Titans, borrowed renewed strength from contact with his mother Earth, even though hurled to her bosom—of that leadership it needs no political sympathy, but only admiration of personal courage and chivalrous gallantry, for us to speak in fitting terms. All true sons of honor and of chivalry confess

> "The true joy which warriors feel
> In foemen worthy of their steel;"

and the great politicians, the great statesmen of the land, acknowledge the same feeling, and pay the same tribute to the trusted virtues of honesty, truth, fortitude, and courage. So his brave adversaries with sorrow saw the sun of Charles XII go down into everlasting night at Pultowa; so grieved even the enemies of Gustavus Adolphus over his untimely fate at Lutzen; so would all the Catholic knighthood of Europe have lamented if the white plume of Henry had sunk beneath the foremost wave of battle at Ivry; so mourn the true chivalry of America over the fall of BRODERICK, even though to *their* opponents and to *his* followers,

> "One blast upon his bugle-horn
> Were worth a thousand men!"

But while we, who knew and loved him well, thus pour our tears upon his fresh grave, let no one imagine that this is a local or an individual grief. No! When, at the next assembly of her most distinguished sons, our country shall find one place brought into mournful prominence by the fatal absence of its illustrious occupant, despite of sectionalism and of party differences, despite of local sentiment, honest hearts shall be still found to prompt, and chivalric tongues to utter a brave eulogy over their dead brother in arms, sworn to them, and true to them in that universal oath of all real knighthood—Fidelity to Principle!

I do not wonder that the people of the pre-historic ages deified many of those great men who were cut off in the prime of their powers. If we read the obscure lessons of history aright, I do not doubt that the demi-gods of antiquity were but the historic memories of great men whose mission had been interrupted by death—a catastrophe to which the wants and the hopes of their cotemporaries could not be reconciled.

Could so much power, so much potential goodness *die?* Would they not return again to earth, where so much remained for their accomplishment—so much for them to *do?* Hope awaited their new advent until "hope waited against hope," and finally deified the attribute whose return to earth had ceased to be expected. "They will no more contend *beside* us in our earthly conflicts, but *for us* with the fates above."

So when we see the aged Adams expiring in the capitol, we are ready to exclaim with him, "this is the *last* of life!" So, when the great soul of Clay sends up its last aspiration in the legislative city where his life had been spent, we ejaculate a reverential "Amen!" So, when the wearied spirit of Calhoun, in its intense intellectual activity, wears away the last thin film which binds it to corporeal life, we joyfully chant at once the "Requiescat" and the "Resurgam." So, when the great intellect of Webster, broken-hearted, and with ominous and increasing languor, seeks a death-bed in the retreats of his "Sabine farm," we tune our throats to the "*Non omnis moriar*" of Horace, and the still more sublime "I still live" of the Puritan patriot. But when one goes forth like BRODERICK, in the maturity of his manhood, in the fulness of his powers, in the ripeness of his intellect, in the perfection of his moral discipline, hoping so much himself, and of whom so much was hoped—when such a one recognizes the beckoning of the inevitable messenger from afar, and calmly wraps the drapery of the grave about him, and lies down forever upon his bloody couch, we are as unreconciled as the husband over the grave of his first love; as inconsolable as the mother over the corpse of her first born. With swelling hearts and tearful eyes we vainly protest against the irreversible decree, and are almost tempted to exclaim: "It cannot, *must* not, SHALL not be!" But alas, while we thus struggle in the closing coils of a great grief, the departing spirit passes onward in its solemn, silent, and majestic tread towards the vast caverns of the spirit-land, ever expanding its colossal proportions as it recedes, until it is swallowed up by the still more gigantic darkness. And while we still gaze with longing, eager, straining eyes, as if the rending veil of night would again reveal his returning form, comes to us upon the moaning wind from the great Walhalla of the dead—"he will not turn back again, he will return to earth no more!"

GOD SPEED THEE, then, true son of the masses, most appreciated when forever lost! Brave type of manhood! Bright example of self-reliance and self-culture! Noble illustration of free institutions! Firm patriot and true man: O friend, dearly loved and truly mourned, farewell, *forever*, FAREWELL!

DEATH OF HON. D. C. BRODERICK.

PROCEEDINGS IN CONGRESS.

IN SENATE. MONDAY, *February* 13, 1860.

Mr. HAUN, of California. Mr. President, in conformity to an established practice of the Senate, it becomes my melancholy duty to announ e, formally, an event which transpired during the adjournment of Congress; the intelligence of which has been already otherwise received by the country, with feelings of deep regret.

My immediate predecessor on this floor, the late Hon. DAVID C. BRODERICK, departed this life, in the city of San Francisco, on the 16th day of September last, having fallen in an unfortunate conflict, which was engendered by the use of unguarded expressions by the deceased, personal in their character, towards another distingnished gentleman, who occupied a high and honorable position in the State of California, and which were inflamed by the bitter political contest then just terminated in that State.

DAVID COLBERTH BRODERICK, the subject of this announcement, was born in this city, in February, 1819, and at the time of his death was but little over forty years of age.

His father, an Irish emigraut, was by occupation a stone-cutter; and, though moving in the humbler walks of l fe, was highly respected and esteemed as an industrious artisan and worthy citizen.

Having, whilst David was yet of tender years, removed to the city of New York, he there lived, pursuing his vocation, until the year 1837, when he died, leaving his late distinguished son, at the early age of eighteen years, charged with the support of his mother and a younger brother; these soon followed the elder Broderick to the grave; and David stood alone in the world, without recognizable kindred. With a striking expression of profound sadness, he remarked in my presence, some years since, which I now call to memory, that he was the last of his blood on earth, so far as he knew. Hence arose that haughty gloom enshrouding his soul, through after life, he could not eradicate and was too proud to hide.

Having, by diligence and study, surmounted many of the obstacles with which poverty and humble fortune had encompassed his path, he arose, in the city of New York, from the humble place of an apprenticed mechanic, through many years of arduous labor and severe application, to a position commanding high public respect and political elevation. In 1846, at the age of twenty-seven years, he was brought forward by his friends, and nominated for the office of Representative in Congress, but we learn was defeated by a division of the vote of his party in the district.

In the year 1849 we find him on the Pacific slope, entering with courage, energy and perseverance upon the new field which the then recently dis-

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NOTE.—The preceding address, pages 1-17, was in print, and largely distributed before the annexed proceedings in Congress were had. They are therefore added to the undistributed portion of the edition. Thus the predictions of the address have been more than fulfilled, and the poor tribute which a single hand placed upon the grave of the dead, is obscured by the splendid monument which eloquence, chivalry and patriotism have reared to his memory.

covered gold regions of California presented to enterprise, at once the most lucrative and inspiring to honorable ambition. Upon this new theatre of activity and ceaseless toil he soon was known as a man of marked notoriety and great influence.

He arrived in California poor in purse, but rich in energy and self-reliance; then, disdaining the pursuits of ephemeral excitements and allurements which marked those earlier days, he steadily bent his strong intellect and controlling will to the serious purposes of life.

His high moral deportment begat universal respect; in private life he bore the character of one of the most exemplary men; his generous heart and open hand attracted and attached to him a host of devoted and admiring friends, who delighted to honor him with public and private confidence. Many of these, his early pioneer companions to California, yet remain, who mourn his loss with fraternal, unforgetful sorrow.

In 1850 he was elected to the Senate of California, and in 1851 was chosen President of that body, to fill a vacancy occasioned by the promotion of Lieutenant Governor McDougal to the gubernatorial chair, upon the resignation of Governor Burnett.

In 1852 he was re-elected to the Senate, and served with distingnished ability in the various positions there assigned him.

The distinguishing trait in the late Senator BRODERICK's character, was his strong, unbending will, and the unity and precision of movement it afforded him to carry out his judgment when formed.

He had, with legitimate and commendable ambition, kept his eye steadily fixed upon a seat in this august body, as the place, of all others, deemed by himself and friends the most suitable for the development of his talents and statesmanship. In this he was sustained by their successful efforts; and in 1857 he was chosen as a United States Senator from the State of California.

He took his seat upon this floor in March of the succeeding year. His official action in the Senate forms a part of the national records; and many members now present were participants with him in the management of public questions here. Of that record, it is not my purpose now to speak; for how do the angry waves of political controversy subside, when we stand by the grave of one who, though once engaged amid the fiercest elements, now lies cold in the chamber of death, and pulseless forever!

DAVID C. BRODERICK was no ordinary man. Against the frowns of influence and fortune, he made his way to ease and distinction; and by his life and successes, illustrated the beauty of our American institutions, in opening the avenue of elevation equally to all, whether the high or humble in origin.

In his life he was made confident by his application, and to aspire to renown were the necessary fruits of his toil; in political conduct he was a chief, *ruled* leaders and *ordered* his successors; in his death, he sleeps lamented as one of the pioneer self-made, honored sons of California, mourned by many, lost to all!

In the ceremonies of this sad tribute to the memory of your late associate, Senators, may I not remark upon the solemn thought which the occasion induces, when we realize that "in the midst of life, we are in death;" and that we, too, must soon comply with nature's sure demand, and leave these earthly scenes for that

> "Undiscovered country, from whose bourne
> No traveler returns."

May we not earnestly hope, when the present and many future generations shall have passed away, that our Union will stand against every political tempest, transmitting to posterity the blessings of liberty

inherited from our fathers? And may we not continue, with due regard, to submit to Him whose decrees are final?

Mr. President, I offer the following resolutions:

Resolved unanimously, That the members of the Senate, from a sincere desire of showing every mark of respect due to the memory of Hon. DAVID C. BRODERICK, deceased, late a member thereof, will go into mourning, by wearing crape on the left arm for thirty days.

Resolved unanimously, That, as an additional mark of respect for the memory of Hon. DAVID C. BRODERICK, deceased, the Senate do now adjourn.

Ordered, That the Secretary communicate a copy of these resolutions to the House of Representatives.

Mr. CRITTENDEN, of Kentucky. I rise, Mr. President, for the purpose of seconding the resolutions which have been offered, and will take this occasion to make a very few remarks. It seems to me, Mr. President, that it is most becoming to say very little upon such occasions. There is a cold sort of solemnity about them, that seems to forbid the use of vain words. The language of the grave is brief and severe; and within its precincts it does not become us to use the language of flattery or eulogy. The world to which our departed colleague has gone is one where the flatterers and the flattery alike are no more to be found. That belongs to this world, and not to that to which, in some measure, we are supposed to address ourselves on such an occasion.

I knew Senator BRODERICK. I only met with him in this Hall. I did not know him until he came here as a Senator a few years ago. His history we have had in brief and beautiful terms expressed by his successor this morning. I have nothing to add to that history. He was, indeed, as the Senator has said, no ordinary man. DAVID C. BRODERICK was a peculiar and an extraordinary man. All the courses of his life mark him as such. He occupied no position in life, high or low, upon which he did not leave his deep impression. He made his mark wherever he stood; and no man's career has been, to the extent of it, more decidedly traceable and more decidedly marked than DAVID C. BRODERICK'S. He made his way through all the vicissitudes of this life. He was thrown into the midst of the temptations of a great city, without friend or monitor. Without friend or monitor, he seems to have preserved, according to all the testimony we have, his integrity amidst temptation; and he made advances against all the disadvantages of life which surrounded him, until we found him at last in this body.

He was here, as he appeared to me, a man of purposes and convictions. He followed them strenuously; he followed them bravely. His heart was not wanting in kindness; and, save when he was in pursuit of those convictions and purposes that I have mentioned, he was a kind and conciliatory spirit. He possessed the devotion of friends in a most extraordinary degree as I learn from those who were much better acquainted with his life than I was. BRODERICK'S friends would do, for any one of his friends, all that they would do for BRODERICK himself. By his own devotion to them, it must have been, and by his sympathy with his friends, that he commanded and swayed all their feelings, and could control their conduct in the most remarkable and ordinary degree.

In this body, so far as I could judge, and so far as my testimony may go, his conduct seemed to be that of an upright, bold, faithful public servant. He was not a polished man; he was not an educated man; he was sometimes rash and rough in his manner; but his purposes here, so far as I can judge, were honest and upright; and, with a boldness and a frankness open as day, he spoke what he thought, and he spoke it like a man. He was a man, and we shall not look upon his like again.

Sir, I allude to the manner of his death only to say that the manner of it is to be ascribed rather to the vices of the times and to the vices of society than to any particular fault of his. He was a man that could not, from his nature, more than he could from the laws of society, refuse to meet any such arbitrament as that in which his life was sacrificed. The world had presented to him a rough and adverse current to encounter from his youth upwards. He was bred in the midst of difficulties. He was bred in the midst of the sternest temptations, and the sternest rivalships of this life. He could not turn aside in his course from any peril or from any danger. This was not the course of DAVID C. BRODERICK.

There was a degree of mystery, too, in regard to him. He was a man of whose origin but little was known. He seemed to be the offspring of mystery, and it surrounded him in such a way through life as to give a sort of dignity to his character. His was a formidable name for every antagonist—a mysterious, formidable name; a stern, haughty, onward spirit, yielding to no difficulties, yielding to no dangers, pursuing onward, according to his convictions, his purposes, one steadfast course, let it lead where it might. It brought him to the Senate, and finally led him to the grave. There, sir, let him rest in peace; and, rough as he was in this world, and inexorable as he appeared to some, many and many a tear in California will be shed upon that grave. Perhaps there is not a single grave in California that will be bedewed with more tears, more sincere, earnest tears, than the grave of DAVID C. BRODERICK.

Mr. SEWARD, of New York. Mr. President, the great national event of our day, I think, is the extension of our empire over the interior of the continent, from the border of Missouri to the Pacific ocean. He who shall write its history will find materials copious and fruitful of influence upon the integrity of the American Union and the destiny of the American people. He will altogether fail, however, if he do not succeed in raising Houston and Rusk and BRODERICK to the rank among organizers of our States, which the world has assigned to Winthrop and Villiers, Raleigh and Penn, Baltimore and Oglethorpe, as well as in placing Taylor and Scott and Worth and Quitman, as generals, by the side of Washington and Greene and Marion.

Impartiality will require him to testify that BRODERICK, more vigorously and resolutely than any of his predecessors, overcame accidents and circumstances which opposed his success. Neither birth, nor fortune, nor education, nor training, nor patronage, nor association, nor prestige of any kind, favored ambition in this case. While yet very young, he disappeared, unobserved, from among the excitements of mere municipal elections in a great commercial city on this side of the continent, and rose as suddenly on the other side, towering and conspicuous among the ill-assorted and irregular groups of adventurers from all parts of the world, who appeared there, reckless, as it seemed, of all restraint, and animated by the one absorbing purpose to become quickly rich by being the first to scoop up the golden dust in the beds of the rivers of California. As we looked upon these tumultuous assemblages, we asked, how shall even peace and life be secured among them? How and when shall this political chaos be reduced into the solid substance of a civil State? Even while we were yet asking these questions, we saw that State rise up before us in just proportions, firm, vigorous, strong and free, complete in the fullest material and moral sufficiency, and, at the same time, loyal and faithful to the federal Union. The hand that principally shaped it was that of DAVID C. BRODERICK.

Sir, when I heard in a foreign land of the death of our late associate, I experienced, beside the sentiments of sorrow which I am sure are common to us all, a keener sorrow that arose from the reflection that he had fallen

prematurely, while yet there was need and room for further public service to augment his fame. But in this I erred. It is not the amplitude, but the greatness of achievements that secures the statesman's renown.

The manner of his death gave a severe shock to the moral sensibilities of the nation. But I will not dwell on this painful subject, because, if he could hear me, he would forbid complaint. He consented, I trust, reluctantly; but he nevertheless consented to the combat in which he fell. I have never known a man more jealous of his honor, or one who could so ill endure to be an object of pity or compassion in misfortune or in disappointment. I leave him, therefore, in his early grave, content to confine my expressions of grief within the bounds of sorrow for the loss of a friend, than whom none more truthful and honest survives; a Senator, than whom none more incorruptible ever entered these Halls; and a statesman, who, though he fell too soon for a nation's hopes, yet, like Hamilton, left behind him noble monuments well and completely finished.

Mr. Foster, of Connecticut. Mr. President, my acquaintance with the late Senator from California commenced soon after he became a member of this body. Without being intimate, my relations with him were familiar and friendly from that time to the period of our separation at the close of the last Congress. Not distinctly identified in his political action here with either of the two political parties into which we are divided, it is scarcely to be expected that his course would be likely to receive very high commendation. Each party would feel privileged to criticise, and perhaps to condemn. In the judgment of a charity, possibly not too liberal, a man may, in the times on which we are fallen, be governed by high principles and correct motives, and yet pursue, politically, the course which he pursued. In the private and social relations of life, he seemed to me to possess many qualities to command respect and admiration.

But it was not to speak of the public or private character of the deceased that I rose to address the Senate. My purpose was to make a very few plain remarks as to the manner of his death, and to consider what action, under the circumstances, it was becoming in this body to take.

Mr. Broderick, it is well known, received a mortal wound in a duel, from the effects of which he soon after died.

Life taken in a duel, by the common law, is murder. Fighting a duel is a criminal offence, I believe, in all the States of the Union, punished in different States with different degrees of severity. Very serious disabilities are annexed to the offence in many States. In this District by a law of Congress of 1839, the surviving party, and all persons concerned in a duel in which either party is slain or mortally wounded, are deemed guilty of felony, and are punishable by imprisonment in the penitentiary, at hard labor, for any term not exceeding ten years. The giving or accepting a challenge to fight, or being the bearer of such challenge or acceptance, is, by the same act, made a high crime and misdemeanor, and is punishable by imprisonment in the penitentiary for any term not exceeding five years.

The law of California, to which State the Senator belonged, and within which this duel was fought, punishes dueling as a crime. The punishment for dueling where a party kills his antagonist, or inflicts such a wound that the party injured dies within one year thereafter, is imprisonment in the State prison for any term not exceeding five years; nor less than one year, That dueling is directly contrary to the laws of God, is a proposition which will hardly be denied.

And now, the practical question is, shall we render honors, public, senatorial honors, to the memory of a man who loses his life in a duel? For myself, I am not prepared to recognize the "code of honor" as a

"higher law" than the laws of man and the laws of God. I presume to pass no judgment on the dead, nor indeed on the living, but when a man dies in the direct and willful violation of the known laws of his State, his country, and his God, however dear to me he may have been, I can join in no public tribute of respect to his memory. It is idle to enact laws, it is foolish to expect that they will be obeyed, if those whose last voluntary act in life is to violate them, are publicly honored as heroes and martyrs. With no disposition to war with the dead, or to give unnecessary pain to the living, I must vote against these resolutions.

Mr. FOOT, of Vermont. Mr. President, the honorable Senator from Ohio [Mr. WADE] is detained from his seat this morning on account of indisposition. He had committed to paper some brief remarks which he intended to submit to the Senate upon this occasion, expressive of his appreciation of, and as a testimony of his respect to the memory of the late Mr. BRODERICK. In his absence, I have been requested to read these remarks, a request with which I very cheerfully comply:

"Mr. President, though not of the same political party, I cannot suffer this occasion to pass without expressing my deep sense of the noble qualities and manly character of DAVID C. BRODERICK. It was my good fortune to become well, and I may say intimately acquainted with him, soon after he took a seat in this body. He was unassuming in his manners, but frank, outspoken and sincere, despising all intrigue and indirection. He was possessed of an excellent understanding, and a fine capacity for business. His love of justice was remarkable. Having once settled in his own mind what was right, he was immovable as the hills. Neither the threats nor the blandishments of power, nor personal peril could move him from his purpose. Being of the people, their rights, their interests and their advancement was the polar star of his actions. For these he was at all times ready to labor, and, if it need be, to die. In short, he was the very soul of honor, without fear and without reproach.

The loss of such a man, Mr. President, is indeed a public calamity."

I have nothing to superadd to this testimonial of respect to the memory of Mr. BRODERICK except the expression of my entire and cordial concurrence.

Mr. TOOMBS, of Georgia. Mr. President, I wish simply to announce my entire concurrence with the resolutions proposed by the Senator from California. My own acquaintance with Mr. BRODERICK commenced in this body and ended here. It was purely and exclusively of a public character. I had not the pleasure of any personal acquaintance with him outside of his public capacity in the performance of our relative duties here as American Senators. But, sir, there were striking points in his character that won my respect, and I may say my admiration. I found him bold, honorable, truthful, attached to the interests of his country, "clear in his office," and a man that I considered an honor to the American Senate. He was one of the best specimens of self-made Americans; springing from the humblest walks of society, by virtue of his strength of character, and his native and, in early life, almost uncultivated intellect, he rose to be a peer of the proudest in the land, and conducted himself after he came to this body in such a manner as to win respect and approbation, notwithstanding the many prejudices which had surrounded his advent into this body, produced, it may be, by the many and stern partisan conflicts which marked his active but troubled career. I trusted him as a faithful, an honest, an upright, a fearless Senator.

I give my full concurrence to these resolutions. I had not intended even to say this much but for the dissent which has been manifested to our proceedings in honor of his memory. He fell in honorable combat, under

a code which he fully recognized. While I lament his sad fate, I have no word of censure for him or his adversary. I think no man under any circumstances can have a more honorable death than to fall in the vindication of honor. He has gone beyond censure or praise. He has passed away from men's judgment, to the bar of the Judge of all the earth, who will do right:

> "Earth's highest honors end in 'here he lies;'
> And 'dust to dust' concludes her noblest song."

The resolutions were adopted; and the Senate adjourned.

HOUSE OF REPRESENTATIVES. Monday, *February* 13, 1860.

The following message was received from the Senate by ASBURY DICKINS, their Secretary:

IN SENATE OF THE UNITED STATES,
February 13, 1860.

Resolved unanimously, That the members of the Senate, from sincere desire of showing every mark of respect due to the memory of Hon. DAVID C. BRODERICK, deceased, late a member thereof, will go into mourning, by wearing crape on the left arm for thirty days.

Resolved unanimously, That, as an additional mark of respect for the memory of Hon. DAVID C. BRODERICK, deceased, the Senate do now adjourn.

Mr. BURCH, of California. Mr. Speaker, the message from the Senate just read announces to this body the death of Hon. DAVID C. BRODERICK, late Senator from the State which I have the honor in part to represent upon this floor.

During the lifetime of Mr. BRODERICK I did not bear with him the relation of personal intimacy, nor even that of political friendship. Therefore, sir, in the remarks I deem it my duty to make on this occasion, it is not my purpose to attempt an eulogy of his virtues; I shall leave the more appropriate performance of that last sad mark of respect to his memory to others here, who knew him better than I did. That, however, which I believe he, in the exercise of Christian charity, would have done for me in a transposition of circumstances, I now do for his memory.

Mr. BRODERICK, I understand, was born in this city of Washington, in the year 1820, while his father was engaged as an artisan on the Capitol building. Here was passed his infancy; and since "first impressions are the most lasting," who shall say it may not have been while sporting under the shadow of this building, that his youthful breast was first inspired with that ambition, laudable in every American citizen, to serve his country in the most august of her tribunals, the Senate, which he lived to consummate?

At an early age his parents removed with him to the city of New York, where he passed his youth and early manhood. It was in that city he acquired that knowledge of his fellow-men and cultivated and pursued that taste for politics which so eminently characterized his after life.

In 1849 he emigrated to the newly discovered "El Dorado" of the Pacific; and on the admission of California into the Union, he engaged actively in the politics of that State, and was repeatedly honored by his fellow-citizens at the ballot-box, occupying, by their suffrages, the positions of Senator and acting Lieutenant Governor.

In the winter of 1857 he was elected to a seat in the Senate of the United States. Having served one Congress, he returned to the State of

his adoption, and died at the city of San Francisco, the place of his residence, on the 16th September, 1859.

No one possessed a more determined will, or greater energy of character in the execution of his objects, than did Mr. BRODERICK. These two characteristics are intimately associated and connected with his whole life. And, sir, since he, unaided by the advantages of a superior education, without influential family or friends, before reaching the meridian of life, rose from an humble position to one second only to the Presidency, should not his achievements be an incentive to all, whatever their rank in the beginning of life's battle may be, to strive through adverse circumstances for the high places in our republican Government? At the time of his death, Mr. BRODERICK was but thirty-nine years of age. His life, then, was short; but his career was marked throughout with extraordinary incidents. He is now gone. (The good which men do live after them. Their errors and frailties, if any they have, certainly die with them;) and I hope that all animosities which existed during his life are now buried with him.

His memory, I know, will long be cherished by many of my constituents, who have towards him a devotion and an attachment peculiar to his friends alone; and were there nothing else in the character of this extraordinary man to inspire admiration, the power to enchain to his fortunes and himself those with whom he associated, will ever remain a peculiar characteristic of Mr. BRODERICK, and attract the attention of all who may hereafter become acquainted with his life-history.

In conclusion, Mr. Speaker, as a further mark of respect to the memory of the deceased, I offer the following resolutions, with the hope that they may be unanimously adopted:

Resolved, That this House has heard, with deep sensibility, the announcement of the death of Hon. DAVID C. BRODERICK, late a Senator in Congress from the State of California.

Resolved, That as a testimony of respect for the memory of the deceased, the members and officers of this House will wear the usual badge of mourning for thirty days.

Resolved, That, as a further token of respect for the deceased, the House do now adjourn.

Mr. HASKIN, of New York. Mr. Speaker, in rising to second the resolutions just offered, I feel somewhat diffident, lest I should not be able to do the character of the distinguished Senator, in honor of whose memory they have been proposed, that justice which its simplicity, its purity, its integrity, and its greatness demands. As it is the duty of eulogy not to indulge in extended panegyric, I will, in the few remarks which I intend to make on this occasion, confine myself to the prominent facts and circumstances connected with the eventful and romantic history of my deceased friend. I will not make a funeral pageant of my grief; but will give a simple narrative of his career, believing it to be a glorious precedent for the honorable imitation of the poor and the humble, who have energy and wealth of intellect to command.

No gentleman upon this floor, or in the other Chamber, knew the deceased Senator better or more intimately than myself. We were schoolboys together, grew up to manhood and entered the gate and pathway of life hand in hand. In early youth we both attended one of those great "people's colleges" of the North—a free school—for about a year each. This was the only academic education he ever received, and it awakened within him an appetite for useful knowledge which he lost no opportunity afterwards to gratify. Upon the death of his widowed mother, whose sole support he had been for years, he left the trade he had been follow-

ing (that of a stone-cutter), which was undermining his constitution, and commenced another branch of business less laborious and more lucrative, by which he maintained himself and a younger brother, who had been left a charge upon him. Among his first acts after this change was the purchase of a library; and I well recollect that in 1845–46, when in the habit of visiting him, I frequently found him engaged in study, perfecting his knowledge of grammar by writing in full parsing lessons from the text-books. About this time the deceased became the foreman of one of the largest and most respectable fire companies of New York, (Howard company, No. 34.)

In that city this position is regarded as one requiring great intrepidity and power to command; and his election to it, out of one hundred young men who had grown up with him, is sufficient evidence of the fact, were evidence wanting, that he possessed these distinguishing traits of character. I allude to the fact to show that thus early his ability as a leader was recognized and appreciated; and that, too, by a class of men whose actions in periling their lives, without hope of reward, for the preservation of public and private property, and the safety of society, might be studied with advantage by the statesmen of the present day. I knew Mr. Broderick intimately, at that time, and heard him declare that he would rather wear the foreman's cap of his company in the discharge of a fireman's duty than be crowned with a kingly diadem.

The gentleman from California has given to the House so close a narrative of the political career of the lamented Senator in his adopted State, that it would not become me to travel over that ground again. I shall, therefore, confine myself to a brief description of his life previous to his leaving my State. We entered the busy arena of politics at the same time, both as national, conservative Democrats; sincere believers in, and followers of, the pure principles of the Democratic party, as laid down in its platforms, and exemplified in the administrations of Jefferson, Madison and Jackson. We were together members of the Democratic general committee, which had control of the party organization in the city of New York. It was there that he first displayed his great energy of character and tact as a local party leader. He controlled the Democratic organization in his congressional district, and so potential was he, that he at times governed the nominations of the party for the chief magistracy of the city, and other important local offices. His indomitable will was felt in nearly all of the Democratic conventions held in that great city during the time he remained a resident of it; and as a political leader of powerful influence, he won the admiration of his friends, and the respect of his opponents. It was then—

> "I saw him beat the surges under him,
> And ride upon their backs; he trod the water
> Whose enmity he flung aside and breasted
> The surge most swoln that met him; his bold head
> 'Bove the contentious waves he kept, and oared
> Himself, with his good arms, in lusty stroke
> To the shore."

The only legislative position which he ever held in the city of New York was as a member of the Charter Convention, called to amend and remodel its organic law, and he there was untiring in his efforts to reform the abuses which existed in the city government. To show the strong tendency of his mind to latitudinous Democracy, he advocated and succeeded in securing to the people the right to elect the heads of the various city executive departments. In 1846, he was nominated by the Democratic party of the fifth district of New York, in which he and myself then resided, for Congress, and was defeated by Frederick A. Tallmadge, a gentleman who had been a State Senator, and had previously

occupied several positions of honor in that State. This defeat in a district which had before usually been in the habit of sending a Democrat to Congress, was believed by many to have been caused by his humble origin and fire company associations. Being the son of an artisan, and an artisan himself, the aristocracy of the party turned their backs upon him, whilst many mechanics and workingmen, jealous of the success of this then young tribune of the people, assisted in what they considered the overthrow of his political fortune. This rebuke deeply wounded his pride, for he was proud, at times, even to imperiousness, and he showed that he never forgot the hand that administered unjust rebuke. In his celebrated speech in the Senate against the admission of Kansas under the Lecompton constitution, he took occasion to upbraid the working-men for not being true to their own class. I will read the extract to which I allude:

"I have not the admiration for the men of the class from whence I sprang that might be expected; they submit too tamely to oppression, and are too prone to neglect their rights and duties as citizens. But, sir, the class of society to whose toil I was born under our form of government will control the destinies of this nation. If I were inclined to forget my connection with them, or to deny that I sprang from them, this Chamber would not be the place in which I could do either. While I hold a seat here I have but to look at the beautiful capitals adorning the pilasters that support this roof to be reminded of my father's talent, and to see his handiwork. I left the scenes of my youth and manhood for the "Far West," because I was tired of the struggles and jealousies of men of my class, who could not understand why one of their fellows should seek to elevate his condition above the common level."

At about this time, the existence of gold in large quantities in California having become "a fixed fact," he determined to leave New York, where his canvass had somewhat impoverished him, to retrieve himself, and to carve out a name and achieve honorable fame on the shores of the Pacific. This design was carried out in 1849, and I well remember his last words of parting, to me and other friends, in which he assured us that he would never return to the city in which he had spent his early life and in which his honorable ambition had received so severe a check, until he came clothed with the sovereignty of California, then a State in embryo, as one of its Senators. I was to have gone with him as his companion and friend, and was only prevented from so doing by family ties and family importunities. But I lived to see his prediction realized, and we met again, here in this Capitol, in 1857, at the commencement of this Administration; he the representative in the United States Senate of a sovereign State he had assisted to bring into existence, and myself the Representative of the people of my district in this popular branch of Congress.

The preferment and exalted position he attained should gladden the heart of every artisan throughout the land. The blacksmith may now look up from his anvil, the stone-cutter from his uneven block, and with "excelsior" aspiration say to each other, "be of good cheer, for even we, emulating Broderick's example, may fill seats in a body adorned by a Clay, a Calhoun, and a Webster!"

Of Mr. Broderick I may with truth and justice say, that for energy of purpose, integrity of character, and fidelity to friends and to friendships, he had no superior that I have ever known. He was not an orator in the popular acceptation or the word; but he was a bold, truthful, outspoken man, dealing in facts with a just and discriminating mind. His powers of reasoning were by no means great; he arrived at conclusions with the rapidity of thought, as if by intuition, and his conclusions were always immovably right. He had no model among the great men of the country

to follow; but if there ever was a Senator of the United States who united, in his person and in his character, more of the prominent traits of the statesman and hero, Andrew Jackson, than those of any other, it was DAVID C. BRODERICK. His power in the Senate was acknowledged and felt by all his associates, although he had been among them but for a short period of time. In some, this power excited wonder, whilst others were magnanimous enough to admit it. There was a loadstone of truth about the young Senator, and a frankness and honesty of heart in the man, which passed like an electric current from him to them, and made them anxious, with a few exceptions, to assist and serve him. No one destitute of patronage ever had more devoted and unselfish friends, and no one ever retained such friends or their friendship longer. He lived for fame. He had no ties of blood-relationship to bind him to earth, the last being severed by the death of his brother Richard, in 1847, who was killed in Charlton street New York, by the accidental bursting of a bombshell.

Alone in the world, surrounded by none of those tender associations of family which develop the affectionate part of man's nature, make home happy, and life in this world agreeable, he consecrated himself to the attainment of that political distinction which he finally achieved. I will not refer to the unfortunate affair which was the immediate cause of his "taki g off," in language of harsh invective, because of the sectional dividing li e which exists between northern law and civilization and southern custom and "chivalry," in relation to the duello. My friend believed in the "field of honor"—mistakenly so called, in my judgment—and sacrificed a life upon it that belonged to his State and his country. I will not here impugn his memory for this.

> "This is the state of man; to-day he puts forth
> The tender leaves of hope, to morrow blossoms.
> And bears his blushing honors thick upon him;
> The third day c mes a frost, a *killing* frost;
> And, when he thinks, good, easy man, full surely
> His greatness is a ripening, nips his root,
> And then he falls, as I do."

Alas! alas! he died in the prime of manhood, at a time when his country could least afford to lose the services of one who would have conferred lasting benefits upon it. The devotion with which he watched the growth and promoted the greatness of California, make his death an individua calamity to every inhabitant of that State. Cut down, as he was, in a day, the whole nation united with California in mourning a blow which deprived it of the counsels of a pure, unselfish patriot. When the tidings of his fall reached the Atlantic States, the heart of every *honest* man throbbed in agony at his loss.

He sleeps his last sleep at the base of the Lone mountain, in the State of which he was among the first, the most useful, and the bravest of its pioneers. We all now deplore his loss, though tears are of no further use when once the tribute of nature has been paid. The business of life summons us away from grief and calls us to the exercise of those virtues of which we are lamenting the deprivation, and for which he was distinguished. We can now only preserve the memory of his life, which we believe was useful, honorable, and brave; yet surely, Mr. Speaker, there is something pleasing in the reflection that our separation from those we love, and whose memories we cherish, is merely corporeal. With a sad spirit, and with grief upon my heart, I second the resolutions of condolence and respect to the memory of my deceased friend, proposed by the gentleman from California.

MR. HICKMAN, of Pennsylvania, Mr. Speaker, "The question of his death is enrolled in the Capitol;" and I speak the truth in eulogy. I could not do otherwise without wronging the character of the illustrious

dead, who was a bondman to the truth. Born of the humble, DAVID C. BRODERICK died a peer of the proudest and the best. His commanding life challenged respect, and its surrender sanctfied it. Dead, he still lives, and will live. Absent from those who knew him best and valued him most, he will continue to be present with them. In every conflict for principle, in every struggle for the discharge of patriotic duty, he will whisper to the doubting, and hold up the right arm of the resolute.

> In stilly thought, and in the wildering fight,
> A cloud by day, a pillar'd flame by night,
> He'll point us onward, onward to the goal,
> Leading on legions with his vast control—
> Implanting truth, the idol of his soul.

Since we last met here, yonder Chamber of your Capitol has lost a sage's intellect, a hero's heart, a devotee of country. DAVID C. BRODERICK has ceased to walk the earth, and sleeps his last sleep in the Golden City of the West. Mighty States, extending from the Pacific to the furthest East, was startled and almost paralyzed at the recital of the sad story; and their sturdy yeomanry, their skilled in craft, their sons, breathed their vow in tears, and registered it in faith and determination. Their banners are already in their hands, let the nation read them. They bear the last words of a dying seer—they may yet be trumpeted at the mouths of cannon on fields of war.

Hereafter, in the vast hereafter, children will speak his name when tracing their father's creed; and here, homage, impulsive, not ceremonial, shall be presented to him, as officers of the state and army rendered it before the corse of the great Constantine.

Forty years ago, whilst the center portions of this building were rising from the ashes of wicked conflagration, within sight of this spot a child was born to a lowly artisan. How little did that father imagine that the columns upon which he then wrought were to support a dome, beneath which that son should sit as Senator from a State not then known to the Confederacy, and bearing within its bosom treasure more valuable than the coffers of the world. And yet, in the volume of Omniscience it was written out how DAVID C. BRODERICK, the child of toil, should live and die; what noble aspirations, what self-sacrificing devotion, what unconquerable will, would achieve; how he would suffer immolation at the call of conscience; and his example should become an inspiration to millions of men, from whose ranks he rose like a giant from slumber. He was God's instrument for mighty purposes, and He gave him love, and comprehension, and power. He was a philanthropist, a philosopher, a chief. Those who thought him less never knew him, and must fail to comprehend the cause and extent of that feeling which his death has produced. It will be better understood hereafter. When the heavens clothe themselves in mourning, they hold the hot thunderbolt as well as the gentle rain. None are too wise to learn. Mistakes may be made by defying the one whilst petitioning for the other.

I esteem it my highest honor to have enjoyed fully the affection and confidence of the departed statesman; and clustering memories, as well as a request made and a pledge given, when the lion was in the pride of his strength, and snuffed his danger in the distance, demand that I should speak of him as I knew him. My estimate of Mr. BRODERICK's character is not made up from the wild excitement of party conflict, or the deeper feeling of parliamentary contests. It is drawn from a more truthful source—from the calm and meditation of the midnight hour. Undisciplined by early education, and making no pretense of learning, he was thoroughly acquainted with the history of his race; and had carefully and critically read the best models in English literature. Mankind was his study. He had a quick preception of ruling motives, and his charity was

great. Without a tie of blood to bind him in selfishness to the world, the glory of his country and the happiness of her people gave direction to all his thoughts and moulded all his plans; singularly modest in his bearing, and diffident in the expression of his opinions, he was entirely self-reliant, and possessed a courage devoid of fear. His consecration to the interests of the farmer, the mechanic, and the laborer, was complete. Their loss is irreparable, and I would bid them know it. With the impassioned utterances of a cotemporaneous poet, I would turn their grief to action—

"Arouse from your lethargy, children of toil,
Ye sons of the anvil, the loom and the soil;
Come forth as the winds, in their struggling might,
And wrestle 'till death with the foeman of Right.

"'Twas thus with your leader, the gifted and true;
His life was a sacrifice, given for you;
Every pulse of his heart, every nerve of his frame,
Was to dignify Labor and give it to Fame."

I need not say I loved him—yea, with more than a brother's love; I shall never forget him; no, neither in calm or storm. I would embody his spirit, if I could, in an undying frame, that the friendless and oppressed might look forward in unfailing hope.

But, alas! in anguish I repeat it, BRODERICK—there was but one—has ceased to walk the earth. I may not allude even to the circumstances of the hero's fall; and I have no disposition to do so. I believe, I feel, I know! that is enough of consolation. God called, he answered, and took his cause with him. In the hands of just Omnipotence I leave him and it. He has left his mantle—too large for ordinary mortals; who that still breathes is daring enough to place it on his shoulders?

He was just and generous; he was gifted and noble; he was pure and patriotic. He raised poverty to rank, proving the legitimacy of its blood; and his fame will be as enduring as the records of public virtue.

MR. STOUT, of Oregon. Mr. Speaker, I trust it will not be deemed inappropriate for me to occupy the attention of the House for a few moments on this occasion. I had the honor of personal acquaintance with the deceased Senator whose death has been announced. It is true, that it was more limited than that of those who were associated with him as his personal and political friends; but, having for years been a resident of that State, and a portion of the time connected with its political affairs, I had a favorable opportunity of judging of the merits of the man whose death we now deplore. My respect for the man, and for the feeling of a large portion of my constituents, prompts me to say a word concerning the lamented BRODERICK. I have not yet forgotten the gloom that rested upon the countenances of my constituents as they received the news that DAVID C. BRODERICK was no more. We all felt that the Pacific coast had lost a friend. However much we may have differed with him in his political course, we did not lose sight of the fact that he was a friend to our interests. The people of my adopted State whom I now have the honor to represent, just emerging as they were from territorial vassalage, felt that they could look to him, with the rest of the California delegation, as a defender of their rights and interests; and when the sad intelligence of his death was received, it spread a gloom over our entire State. This sympathy was not controlled by political prejudices, as I trust mine is not on this occasion. They knew something of the man. They knew how he had arisen from an humble position to that of the highest in the councils of the nation. They all knew, or had heard, of his courage and unimpeachable integrity. They knew of his devotion to his friends, and they respected him for these qualities.

I think, Mr. Speaker, that it may be safely said that no man ever lived

who more unfailingly kept every promise than Mr. Broderick. In all my knowledge of the man, I never knew one to become his friend who afterward abandoned him; nor did I ever know one to complain of broken promises on his part. To these qualities I attribute much of the success that attended him. In prosperity he was not unduly elated, and in adversity he was never discouraged. The one led him to prudence and forbearance; the other, to renewed energy and perseverance.

But Broderick is dead! What we may say, nor the grief of his friends, will call him back to life. The dark messenger of Death has put a period to all his bright anticipations, and has deprived his admiring friends of their beloved companion, and forever blotted out the fond hopes they entertained for his future usefulness.

I will not attempt on this occasion to recount the disadvantages he encountered in arriving at the high position he occupied at the time of his death. His history in that respect has been written. All know that he was among those who arose from poverty without the aid of wealthy or influential friends to that high station he occupied at the time of his death, and though dead, his example still lives as an encouragement to those who, in humble circumstances, aspire to places of honor and trust among their fellow-men. His case furnishes a fitting illustration of what a young man may do in a country like ours, extending to him almost any position to which he may aspire, when that desire is seconded by an energy commensurate to the position which he desires to attain. Let the grave cover whatever we may be disposed to consider an error on his part, and may the example he has furnished us of industry and perseverance, be the means of stimulating others to laudable exertions for fame and position in this our free and happy country.

Mr. Burlingame, of Massachusetts. I rise, Mr. Speaker, to mingle my sorrow with this general expression of grief at the fall of one so gifted and so brave as was David C. Broderick. It is true, that I did not know him so long nor so well as did those gentlemen who have just now spoken so feelingly and so justly of him were quite intimate, and I presume it was a knowledge of this fact which led those who were near and dear to him when he lived, to request that I would join with them in these last sad tributes to his memory.

And now, sir, standing by his closed grave, I will do what I can to lead your mind, Mr. Speaker, and the mind of the House, far away from the causes which led him in this bloody shroud, and call your attention to a few of those singular qualities which made him the marvel alike of his friends and his foes. I do not shrink, sir, from a defense of the motives and actions of Mr. Broderick; but this is not the occasion, this is not the time for resentment; it is the hour sacred to friendship and to grief. In this spirit, sir, I shall offer the few words I have to say.

He was the child of the people; born to that great American heritage, the right to labor and to enjoy the fruits thereof, he shed a new dignity, on the toil of man. It is true, as the gentleman from New York [Mr. Haskin] remarked, that now, worn and tired labor may look up from its toil and be proud. Sir, that was a beautiful incident to which he made reference when in the Senate of the United States, representing, in part, an empire in the West, Mr Broderick permitted the recollections of his early struggles to come upon him, and pointed out with pride, the handiwork of his honored father, as it appeared in the traceries of the Capitol above his head. It was a recognition of his alliance with the great working classes of the country. But it was nobler far, manlier far, on that occasion when instead of flattering the prejudices of his people, he told them with a fearless tongue their faults, rebuked their prejudices, and yet leaned confidingly on their virtues while he vindicated their rights.

Sir, he was a Democrat without being a demagogue; he loved the people and he never betrayed them, and with passing time, as they discovered these traits in his character, he won their enduring regard.

Sir. I never knew a man who was so misunderstood—who differed so much from his common fame. I myself sought him in this city as the Representative of a hardy but tumultuous portion of my countrymen. Imagine, sir, my surprise when I found him a student—a student of history, a student of poetry, a silent man, one who sat apart from his fellows, pondering deeply the great problems of life; one instructed, as the gentleman from Pennsylvania [Mr. HICKMAN] has informed us, in those motives which underlie all the actions of men. I found him firm and dignified in deportment. It is true his struggles with adverse fortune had clouded his brow, and that his face, in the presence of his foes, ever wore a mingled look of scorn and defiance, but for his friends he had a genial smile—an irresistible fascination. His look was honest and sincere, his voice firm and truthful, and sometimes it had a manly melody which caused it to penetrate into the deepest recesses of the human heart.

Sir, he was a born leader. Sitting in his silent, solitary room in San Francisco, his wizard mind went forth over the hills and through the valleys of California, until the whole State was filled with the breath of his power. He had an indomitable will. Before it party names and party organizations dissappeared, and men, under the spell of his great spirit, forgot they were Republicans, forgot they were Democrats, and only remembered with pride that they were BRODERICK men. Few men with power to draw the masses to themselves, to cause their multiform feelings to flow in the individual channel of a single will, have appeared at any time. Few have appeared in this country. He, sir, had that gift. He had—

> "———The Mystery of commanding
> The God like power, the art Napoleon
> Of winning, binding, wielding, banding
> The hearts of millions till they move as one."

I say that this quality is rare. Men with it have appeared at long intervals upon the shores of time; but when they have appeared, they have been the idols of their race.

Mr. BRODERICK fell in the very dawn of his career. Though he fell thus early, yet he had stamped the impress of his mighty mind upon the affairs of the Pacific slope. No wiser brooded over the chaos there. He aided in lay ng the foundations of the new State. He aided in rearing its fabric of government; and he did all he could; sir, to fill it with the pure soul of the people. He believed in something. He believed that he had a mission to perform. He believed that he was a champion of the people. Their wrongs were his wrongs; their rights were his rights. His heart throbbed responsive to theirs, and their wild and stormy passions rolled ever through his soul. Following this line of duty, he fell into conflict instantly with those tyrannic elements which, in every society, are seeking to destroy the rights of the people.

Loving the people, jealous of their rights, he fought those elements with fierceness and with bitterness. No man knew better than he did the requirements of his times. No man knew better than he did the logic of events. No man knew better than he did the hazard a man takes to himself who is really, earnestly, faithfully for the people. He, sir, had read history, and knew what had been the fate of the Roman Gracchi; but no personal consequences to himself deterred him. Standing in that presence, scornful of corruption and of tyranny, in the majesty and grandeur of his pure, stainless private and public life, looking to his stormy past, looking into the dark future, he saw, with the clear eye of

his judgment, the very point where he must abdicate the leadership for the people's rights, or yield up his life. Sir, he did not hesitate one moment. Many a man here will remember how the shadow of the event which is to cloth us in mourning this day was upon him ere he left this city. He bade farewell to his friends forever.

He had, as I saw stated to-day, selected—and the gentleman from Pennsylvania [Mr. HICKMAN] himself has attested the fact here to-day—the very man who was to speak for him upon this floor; and one, speaking of him, with transcendent ability, describes his departure from his loved city of New York; how, when he saw one dear object after another sink beneath the waves—the spire of the church, the palace, the hovel a gloom came over him which his friends could not lift from his heart. He saw a hand they did not see, waving him perpetually toward the shadow-land. He followed it with steady tread and fearless eye. He is gone; and I will not penetrate that shadow-land. He stands in the presence of the great Master of events, who will judge fairly between him and those who sent him there.

His body sleeps, as has been said, by a lone mountain, behind the city of his adoption. He has no kith nor kin who will go there to water that lone grave with their tears; but the people who laid him down to his last resting place with their tears and their sobs—the people for whom he lived and for whom he died—as long as the seasons shall come and go, as long as the great ocean of the west shall ebb and flow through the Golden Gates, will cherish and love the memory of DAVID C. BRODERICK.

Mr. MORRIS, of Illinois. Mr. Speaker, we are told that California's great Senator is dead! If it were not so, every breeze that comes to us from the Pacific bears upon its wings the sad tidings of this great woe. Although I am the last, yet I am not a less sincere mourner at his closing funeral rites. Selected by his friends to speak on this occasion, I come to pay to his memory the tribute of a sincere and heartfelt sorrow for his loss. I bring with me, sir, a knowledge of his personal character and public worth, arising from an acquaintance which, I am happy to know, ripened into a sincere friendship. During the last session of Congress I occupied a seat at the same table with him. His chair was directly opposite mine. Our intercourse was free and familiar, and afforded me opportunities of studying his character; and I shall speak of it, therefore, briefly, as I knew it. Others have given the details of his short but eventful life.

At the commencement of the present session, I returned to my accustomed place at the same table; but, upon looking around it, I did not see BRODERICK there! All the incidents of his melancholy death rushed across my mind, and I was led to reflect what security for reputation and life has a conscientious and fearless public man like him. The boldness of honesty and truth is too often the gateway to detraction and death; while the artful and wily politician and dissembler, by the tricks of his art, passes on upon the highroad of power and fame to bask in their sunshine.

It is too often the case with those who rebuke authority, denounce corruption, and vindicate public morality and justice, that a hard fate awaits them. DAVID C. BRODERICK, the Irish stone-mason's boy, who toiled at his father's trade, and raised himself to eminence by his own great energy and talents, early, and alas! sadly, realized this bitter truth, and now sleeps the sleep that knows no waking. The funeral cortege that followed his remains to the grave is dispersed. Another now fills his senatorial seat. No wife, no child, no relative survives him. Who is there, then to weep for him? Who is there that will bring incense to sprinkle upon his memory? There runs not a drop of his blood in any

human veins. His once noble form is wrapped in a bloody shroud; his manly voice is hushed in death; his flashing eye has withered in its socket: and he who but yesterday shone in the National Senate Chamber, a star of the first magnitude, and moved among his peers, possessing a vigorous physical frame, free from disease, is now food for worms. Why, oh! why, Mr. Speaker, all this? What had he done, that he should pay the penalty of his life? Why was his once bosom friend, who had no just cause of quarrel with him, his executioner?

When I contemplate the proper answers to these questions, the heart grows sick, the mind reels upon its throne, and I find no consolation except that "He who doeth all things well," and "whose ways are not man's ways, and are past finding out," hath in them an inscrutable providence. Julius Cæsar fell beneath twenty-three bleeding and gaping wounds; but it was the stab of Brutus that was the unkindest of them all. But though Cæsar entered Rome as a victorious general, in violation of law, the conspirators who struck him down gained nothing by his death. Justice sometimes comes with a slow and muffled step, but as inevitably as destiny itself, and it overtook each one of them sooner or later. It starts the guilty in their midnight dreams, haunts them in the arid desert, clings to them in the halls of revelry, and whithersoever they go, there it is whispering to an uneasy and violated conscience.

I pretend not to say that the death of David C. Broderick was the result of foul play; but many think, if he had been less honest and independent, he would to-day, be a living man? What was his offence? What had he done that he should fall by the hand of violence? Why was he hunted from place to place without just cause or provocation? On truth's historic page will be recorded the response to these questions; and the people of California will read and understand them. He had wronged no man; he had sought to quarrel with none; but, as far as he believed duty and honor would allow, avoided personal difficulties, yet they were thurst upon him and he seemed a doomed man. It is true, that born of poor but honest parentage, and toiling with his hands for his daily bread, a child of obscurity, and buffeted by misfortune's waves, he had looked up from his lonely and solitary coudition to "fame's dread mount," whereon stood the rich, the proud, and great, and dared to enter the list of honorable competition for honorable fame.

Settling in a State, possessing a heterogeneous population; poor, without friends; scoffed at and derided; he started out in a direct line for the goal of his ambition, while those who were his rivals, and had gone to their new location invested with the charms of acknowledged talent and fame, were startled and alarmed that one in whose veins ran only plebian blood should be so bold and presumptuous as to jostle them from ambition's ladder. Nothing daunted by opposition, however, and relying upon the energies of his own great soul, his course was upward and onward, like the eagle's flight, and in a few short years he was the acknowledged head and leader of his State, while his most powerful foe was prostrate at his feet, asking his aid, and found him as magnanimous as he was brave. Perhaps no man ever overcame so many obstacles in so short a time. Without the possession of more than ordinary mental faculties, he never could have done it.

He was, indeed, an extraordinary man. His intellect was cast in a capacious mould; his energy knew no tiring; and he was a moral hero that stood for the right. He sacrificed no principle to expediency, acknowledged no leader but duty, and alike scorned the smiles and corruptions of power. His allegiance he owed to the people and their rights, and he refused it to Presidents and Cabinets, when desired for base purposes. Always open and staightforward, there was no dissimulation or guile in him. His language was the open, plain Anglo-Saxon language

of frankness and truth, and he called things by their right names. A truer man, a more disinterested patriot, a firmer hater of wrong and oppression, a more devoted and constant friend, and purer public servant, never lived. No suspicion was ever even whispered that corruption had tampered with him, that bribery's base coin had adhered to his fingers, or that he was in any way implicated in schemes of public plunder. Temperate, moral, simple, and frugal in his habits, and addicted to no vices, with all his aims his country's good, he trod life's path not as society's spawn, but as one of nature's noblemen, looking down from his lofty eminence upon his traducers, and moving forward as a comet amid lesser planets, shedding a radiance in his pathway. He knew no obligations but such as duty imposed, and those he faithfully discharged. Direct, bold, faithful, and single in his purpose, he never hesitated, never wavered, never faltered, when right and wrong were presented to him, which to choose. His was no weak, doubting, cowardly tongue, that was afraid to give utterance to truth.

As a statesman, he had not the polish of those educated in the schools —not their plausibility or flowery language; but possessed a native vigor of intellect, expanded by reflection and reading, which marked every effort of his forensic power. Who that heard him, or who that has read his remarks, will ever forget his manly and eloquent reply to South Carolina's proud and gifted Senator, who reflected on the laboring men of the North in unjust terms? It is, Mr. Speaker, no disparagement to others, to say, that no Senator ever gained, in so short a time, so widespread a fame. Coming to this Capitol with the breath of slander preceding him and breathing dishonor upon his character, in two short years his State reputation was swallowed up by a national one, and his name became a familiar household word throughout this vast Republic. It will go on, sir, culminating, until truth and justice shall place it in the highest niche of fame.

Though he was born in this District, and spent his juvenile years around this Temple of American Liberty, he was the true type of a northern Democrat. All his instincts, sympathies, and feelings were with the Democracy, and they were everywhere looking up to him as their future leader. When the heart-rending intelligence reached their ears that he was gone, gone forever, down to the cold and silent grave, an almost universal wail of anguish went up from their midst; and the question propounded at his funeral obsequies, "Who shall speak for California, now?" was echoed from the Atlantic to the great West, ran along her lakes and rivers, and sounded through her valleys and mountains like the death-chilling notes of an ill-omened bird. "Who shall speak for California, now," to the free people of the free States of this Confederacy?

Mr. Speaker, I repeat, Senator BRODERICK was, indeed, an extraordinary man. It may be said of him, in the language of Ireland's immortal patriot, Emmett, "the man dies, but his memory lives." It will be green and fresh in the recollection of millions, while that of others will go out and be forgotten forever. Now, and in after years, when the public shall crowd the galleries, and look down upon the august men who compose the American Senate, the question will not be asked, who fills the chair at present? but, where did BRODERICK sit? Unless all truth is falsehood, and history speaks to the future of the past with a lying tongue, no brighter name will shine in its annals, among the true moral heroes of America. He knew his duty, and, knowing, dared to do it. Mothers will teach the tale of his almost fabulous life, and repeat the horrid story of his untimely death, to their lisping children; and, as riper years come upon them, they will pilgrimage to the sacred monument which friendship is rearing to perpetuate his worth, and there pour out their oblations

over the dust of the noble martyr who fell a victim to his devotion to the great principle of popular liberty, and his love of truth.

"Oh! bloodiest picture in the book of time,"
Great BRODERICK fell, bemoaned, "without a crime."

Go, student of American statesmanship, and look over the bright galaxy of names which adorn the pages of your country's history; and when you come to that of the stone-mason's son, learn from him how to model your own character. Learn what native talent and energy accomplished for one who wooed fortune's smiles, and started out upon the great highway of life, determined to win for himself success. As he stepped on board of a vessel in the harbor of New York, with no friends to aid him, poor and unknown, except to a few acquaintances, "Where are you going?" inquired one. "To California," he replied. "When are you coming back?" "Not until I am a United States Senator." A wild shout of laughter went up from the bystanders at what was regarded as his visionary idea. Yet in eight years he did come back a Senator, and in two more acquired a deathless national fame. If the politicians of the golden State had been congregated upon the wharf of San Francisco, as he stepped for the first time upon it, a stranger to all, and scarcely with a penny in his pocket, how they would have jeered at the idea that there came a young man who would throw them from his path with a giant's strength, and rush by them with almost the speed of thought to the highest position! It hardly appears, indeed, that he labored up the soiled and worn way, but "down from higher regions came, and perched him there to see what lay beneath."

But, Mr. Speaker, if his career was brilliant, it was, alas, for his country, too short. In the bloom of manhood, and at the moment he was standing on the highest pinnacle of fame, he was cut down. "Death loves a shining mark." The soil of his State drank his noble blood, and the crimson spot has not yet been washed out. How mournful is the thought! The seasons will come and go, and vernal flowers bloom with nature's returning warmth; but, alas! we shall never look upon the face of our friend again! Peace to his dust! I pretend not to say who is to blame. That, impartial history will determine. But I will say, that when the roll-call of California's statesmen is gone over at the judgment-day, and BRODERICK is inquired for, more than one voice will reach the ear of the great Jehovah from secret places, "Am I my brother's keeper?" Farewell, my friend!

The resolutions were adopted unanimously; and thereupon the House adjourned.

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IN MEMORIAM.

OSCAR LOVELL SHAFTER, L.L.D.

Born in Athens, Vermont, October 19, 1812.
Died in Florence, Italy, January 23, 1873.

INV. 1898.

MEMORIAL

OF

OSCAR LOVELL SHAFTER,

Being Words Spoken at his Burial by Rev. Dr. Stebbins,
a Sermon Preached on the following Sunday by Rev.
L. Hamilton, a Sketch of his Life and Character,
given before the Supreme Court of California,
by Hon. John W. Dwinelle,
And lines to his memory from the New York Evening Post.

SAN FRANCISCO:
1874.

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OSCAR LOVELL SHAFTER,

Late Associate Justice of the Supreme Court of the State of California, died in Florence, Italy, January 23d, 1873. The funeral took place at the First Congregational Church, Oakland, Cal., Sunday afternoon, March 24th, 1873. The rear dais and the organ loft were beautifully decked with wreaths and festoons of green leaves, immortelles, camelias and white roses. Wreaths were laid on the cover of the casket, and at the head was a large cross, composed of camelias and evergreens. The pall-bearers were S. W. Sanderson, John Currey, A. L. Rhodes, Samuel Merritt, John W. Dwinelle, William T. Wallace, Joseph P. Hoge, J. D. Thornton, Edmond L. Goold, J. B. Crockett and Henry Durant. The services were conducted by Rev. L. Hamilton, of the Independent Presbyterian Church; Rev. H. J. McLean, of the First Congregational, assisting.

The following remarks were made by the Rev. Dr. Stebbins:

Events in the life of the individual man tend to conclusion while society moves on in perpetual process or endless chain. This journey over sea and land, taken up in fear and hope, attended by hovering anxieties of home and filial love, pursued and borne with womanly devotion wherever the Divine signals—in cloud by day and fire by night—directed the faithful footsteps, is ended. So the mariner, storm-tossed and weary, engulfed in many perils in many seas, emerges at length into calm and gentle days, happy winds woo his sails, he spies the eternal headlands that have quieted so many eyes, the good ship rides into port, "he casts the patient anchor, and furls the straightened sail in the haven of his heart."

Whether we consider life as a journey upon the land, with many devious delayings and disappointing passages, or as a stormy voyage upon the sea, there be many that are glad when they arrive at home. Religion surely makes no error when she adopts our deepest human satisfactions, carrying them forward to the future, making that a home. It was no error, but a firm insight and delicate imagination, that said, "I am a stranger on the earth." It is a truly human experience. To

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the man worn by toil, burdened with grief, chastened by disappointment, to the man who has lived through this world, gained its meaning, got its leading idea and suggestion, this is not his abiding place. As early ideas of childhood no longer satisfy his mature intelligence, so a world whose import and significance he has caught and appropriated to the uses of moral being, must give way to the nobler ideas of an ever advancing experience. Whether, then, by the weariness of the body, its melted energies, like the rod that is melted by electric fire, or by the aspiring mind and soul, we do outgrow the world and have done with it. We are weary, and long for rest; we are travellers and wish for home. Death is blessing, peace, hope, life.

This was the experience of our friend and fellow-citizen, Judge Shafter. His physical frame had received an irreparable hurt and he could no longer grasp the isolated fact, and bind it in eternal fealty to its principle. The world was no longer useful. Affection might watch with tender fidelity, filial love and gratitude might still find comfort in the happy labors of self-forgetfulness, but life was done, the world was done, and death was the faithful friend to rescue him from the thrall of dissolved powers.

A grateful and appreciative estimate of him as a man, is not commensurate with his external history. An account of any man's circumstances would not be an account of him; for circumstances, powerful as they are, are not the chief element in his being. We cannot divest ourselves of the feeling that the real quality of a man is will, idea, thought, conviction. A man's life and character are in his mind. And the nobler a man is, the less consequence it is where he lived or where died. A universality above all local origin or event pertains to the essential quality of human nature.

God endowed Judge Shafter with a physical and intellectual constitution well fitted to strive with the powers of this world. Energy, endurance of labor, and a kind of mountainous good sense that sees men and things as they are and goes free of all affectation and cant, are the sure and trusty qualities of practical excellence and were eminent in him. He had a kind of human sagacity by which he knew man from any other animal. His judgment moved with ease and self-reliance amid a great variety of circumstances, from the measure of a tree in the forest, to the action of the hour in politics, or the providence of God in human life. He was long-headed. He did not affect

wisdom by much owlish silence, neither did he run to folly through talking over-much. He expressed his opinion with that easy firmness, without show of independence peculiar to feebler natures, but as one to the manor born and at home in the truth.

But these practical abilities—energy, good sense, round-aboutness, and integrity of nature—were by no means the measure of his endowments. His intellectual perceptions were clear, and in his statement of principles he could have have had few superiors. He had that appreciation of the law of laws, the unity and generalization of truth, that gives moral dignity to the intellect and the perspective of moral grandeur to all principles, without which the mind itself becomes frivolous, a mere popinjay clatter of things unreal. When theories of deep human interest were touched, his mind kindled along its summits with fine enthusiasm of poetic feeling and insight. He did not belong to that class of minds always emphatic never forcible, neither to that other class, "small pot soon hot," whose enthusiasm is in the blood and not in the idea. His mind sometimes lay calm, silent, sullen as the summer sea, and rolled with sleepy strength, and in all the manifestations of his intellectual activity, there was something of that repose which is the measure of reserved power and the background of all greatness. He was a pleasant companion and a good talker. I have seen him very happy in the society of children, and touched with true feeling at little expressions of loveliness in the young.

I had the pleasure a few years ago to spend a day with him on the Point Reyes Rancho. I arrived on the ground in the morning, and found him sleeping beneath a little bower that he had made to protect him from the glare of day or the chill of night. I thought of Jonah who built a bower a little way out of the city of Nineveh, and lay there impatiently to see what would come to pass. But a better than Jonah was here. He awoke, gave me cordial greeting, generous as the morning. We shortly took to the saddles and spent the day in riding over the domain, wherever interest, curiosity or excitement led. He was full of vivacity, observation, reflection, feeling. The hills, the valleys, the running water, the shady glen, the wood-bird's note, all attracted his attention, awoke his sensibility. The men all liked him, from the Spanish vaquero, that lingering remnant of a former civilization, to the American boy, taking his first lessons in throwing the stealthy riata. All liked him, yet none were familiar or frivolous

toward him. I got on that day the flavor of his mind and character. A man of great good sense, practical, yet with wide discourse of intelligence and reason; calm, unimpassioned, yet of fine sensibility and true poetic feeling, and his whole nature, by the eternal weight of moral gravity, swinging toward the truth. Thus I understood him.

His religious faith was simple and human. He arrived at his conviction of the character of God from the nature of man, and the experience of human life. He inferred that justice is God's justice, that mercy is God's mercy, that love is God's love; and that the expression of these in humanity is the expression of the divine. I think, in commending himself to the Almighty maker of men, he would, in the devout simplicity of his heart, have forgotten all the honors and respect he enjoyed from his fellow men, and thought only that he was a *man*. He would have said, with Martin Elginbrodde:

> "Here lie I, Martin Elginbrodde:
> Hae mercy o' my soul, Lord God
> As I wad do, were I Lord God,
> And ye were Martin Elginbrodde."

The body was taken to the Oakland cemetery and deposited in the family vault. Among those present, besides the relatives of the deceased, were a very large number of the San Francisco and Sacramento Bar.

MEMORIAL DISCOURSE

Delivered March 31, 1873, in the Independent Presbyterian Church, Oakland, by Rev. L. Hamilton.

Micah VI, 8. He hath showed thee, O man, what is good; and what doth the Lord require of thee, but to do justly, and to love mercy, and to walk humbly with thy God.

Once in a decade or two of years, we see a life come to a close which has concentrated in itself the progressive thought and experience of the time. The great world-history going on without has its parallel in that which goes on in a single breast. The man measures the time. The features of its progress daguerreotpye themselves essentially in his mind and heart. . Beginning by force of circumstances in something that is crudest, he ends by force of inherent truthfulness and grasp of thought in that which is ripest. The brilliant but ephemeral blossoms of spring are soon cast; the more sober but more lasting beauty of summer follows; this changes again into the rich ripe ness of autumn—then winter garners the whole growth of the seasons.

Such a life is a beacon of progress to common minds. If one falls under our observation, we slight God's good providence if we neglect to study it. We can see in it if we will, not only where we are, but where we shall be. It is a prophecy of what is coming. In it we see ruling tendencies reach their accomplishment. The forces that are moving in the great complex man we call society, run their course and come to their last result in this individual man. The average man of the future, when humanity has grown tall enough to see as broadly as he sees, will stand where he stood when we last beheld him. He throws light on the questions we debate most in our parlors and shops and lyceums. We see the decision of many of them reached in him, or at least the discussion carried so far as to point the way to their decision. We need not repeat the experiment he has made. We can foresee in him how it will result. The thought of men can step forward to an advanced position over the ground which he has conquered.

We should not be overhasty, indeed, in falling into the lead of great

minds, however great they may be. We should be mindful of the fact that the greatest thinkers in the whole history of thought have been the greatest errorists. So they were honest in purpose we need not reproach their errors. To think in advance of other minds, is to help forward human progress, even if the thinking be mingled with error. To state a great error with power on an unexplored field of thought often leads to the great undiscovered truth that lies directly over against that error. It is only a little more roundabout way to the good thing that humanity needs. So we welcome great *honest* thinkers, whatever the track their minds take. We need not therefore welcome their mistakes. Their mighty conceptions may be but centaurs and hippogriffs: there may be nothing real in nature answering to them. They may be the exceptional outgrowths from the idiosyncrasies of the thinker. They may be the abnormal vagaries of a wrenched and disjointed intellect. They *may be* the voice of God. We should wait for the *verification* of the true test—the common consent of minds great enough to grasp the subject. Watch the *judicial* mind as it comes in contact with the question at issue, the temper calm, the method wise, the process slow and careful, the conclusion deferred until all the evidence is in. When you see this higher order of thinkers, under diverse circumstances and influences, strike off from the old beaten path at different points of departure, and with singular unanimity take some new road that leads to a common conclusion, it is safe for you to predict that the *many* will soon turn into their course of direction. It may not lie exactly along the line of absolute truth, but it is more nearly parallel to that line than the old track. Humanity never again takes its onward march along the old road. A few stragglers may stumble on in that way for a time, but their thinning number soon find the loneliness intolerable.

Eminent among this higher order of minds stood the late Judge Shafter. He was a type of the time. He ran through the progress of the age in his own experience. He began in the crudest thought; that he ended in the most advanced I am not competent to say, but that he had reached a point far in advance of the multitude, there is abundant testimony more conclusive than mine. Hence the special public value of his life. Few examples will better repay our study. I should not be excused if I failed to use the occasion to gather up some of its rich suggestions.

My object is not panegyric. The Bench, the Bar and the Pulpit

have united in his eulogy. I fear I should weaken what has been said with power by any additions I might attempt to make. Nor will I attempt an exhaustive analysis of his character. It would be too presuming in me. I leave that to more familiar and more skillful hands. My object is rather to turn your attention toward those phases of his many-sided thought and experience which look towards our work as a christian congregation and our want as christian men and women seeking after the truth of God.

He was born at Athens, Vermont, October 19, 1812. His father was a man of much force of character and large influence with his neighbors,—"successively farmer, merchant, county judge for several years, Liberty party candidate for Governor, more than quadrupling the vote of his party, then member of the Constitutional Convention of 1836 and member of the State Legislature." In religious faith and connection he was a Methodist. His mother was a woman of rare intelligence and force of character. At an early age death deprived him of her counsels, but he cherished her memory with a deep and tender reverence. At about fourteen he was placed at a Methodist academy in Wilbraham, Mass. It was during his several years of study at this institution that he was caught in a whirlwind of religious excitement—as he would describe it afterwards,—"was struck with conviction," "went forward to the anxious seat," "had great wrestlings with the spirit," and "got converted." For six months his zeal knew no abatement. He was "instant in prayer and exhortation, in season and out of season," prompt at the class-meeting, and was pointed out as a model. But his inner life did not run smoothly. He suffered torturing doubts. He felt that his religion was artificial—a striving after moods, feelings, fervors, raptures. Somewhat abruptly he came to the conclusion that this was not being honest with himself or with others. He went straight to the Church and told them so, and that he could go no further with them. Henceforth he will be true to himself if his soul is lost for it. If any religion wants him to be less than that, so much the worse for the religion. He completed the prescribed course in his school, took a tramp into New York State, where, I believe, he had a little practice in school teaching, then returned and entered the Methodist University at Middletown, Connecticut. From this he graduated in due time, studied law at Cambridge, then went back to Vermont to commence its practice. His powers soon

placed him in the foremost rank of his profession in his native State.* His coming to this State in the Fall of 1854, the immediate recognition of his abilities, his law partnerships with the first legal talent of the State, his firm stand as an anti-slavery man when the name of "Black Republican" was a reproach, his self-consistent adherence to this stand

* The following, evidently written *calamo currente*, is taken from his diary of Jan. 26, 1855, and shows that wonderful fertility of mind to which the commonest object will suggest a rich train of reflections:

"There is a thing put into my hand by my friend—it is a book. I have never read it, nor have I ever seen it before. It at first engages my attention as a material thing merely. In that regard I examine its exterior—its binding and lettering and gilding. I open it and the paper and the typography become subjects of inquiry and thought. So far, even what a vast range of knowledge is needful in order that I may understand, appreciate and relish the naked facts that I have learned. The art of book-binding since books were first known; the progress of that art through a long succession of ages terminating in the present. Printing in its first discovery or invention; printing in all the modes and styles that have since obtained; the names of the printers by whom they have been originated or practiced; printing as connected with the presses with which it has been carried on in different nations and in the different times, and all the wonderful improvements that have been made in the press considered as a means—these and a thousand other matters are needful for me to know in order that I may comprehend what I have already observed, *in their great import*. Thought as it first arose in the mind of the inventor, its slow and labored development in his toiling brain, until the ideal that he was struggling for stood revealed in matured conception—and then the protracted and wearisome endeavor to realize that thought under material forms; the conflict with obstacles never ended, or if ended, still ever to be renewed; the fierce, exhausting strife with human ignorance and human passions; the discouragements of penury, the alternations of hope and despair, and the often encounters of each with the other—*the whole biography* of the wonderful men who in spite of such odds at last achieved for the ages in which they lived the great triumph of modern civilization; how their achievements acted upon other minds to stimulate them to like endeavor; the effects produced by their inventions or discoveries upon the times in which they lived, and the mightier consequences that were developed in ages following. These, yes, all this great context if *known to me*, will invest with marvellous interest, I ween, the book considered simply as a material thing. To fully compass it in *that* regard, of how very little of general history can I afford to be ignorant!

"But to understand, appreciate and relish the contents of the book, as I peruse them, the whole range of history, biography, science, art and general literature, should be as familiar to me as early lessons. The new production of human thought stands related to all that thought has originated or combined before; and the threads that the author has spun, he has woven in a thousand nameless and marvellous methods, into the mighty woof of previously associated ideas."

through all the exciting scenes that followed, his gradual rise into the notice and confidence of the people, his election to the Supreme Bench of the State in 1863, his unimpeachable and even unsuspected integrity as well as ability in that position for four years, then the sudden failure of his health compelling his resignation, his efforts for recovery, the long wavering of his friends between hope and fear—the hope growing fainter, the fear verging towards sad certainty—till the final word flashed under the sea from a foreign city telling us that the end had come and the great soul had taken his place among the Immortals—all this has been made as household matters to you by the public press.

It falls not in with my purpose to dwell longer in detail upon the events of his life. I have now to speak of Judge Shafter's religion.

Like the Prophet, he had sought to "know the righteousness of the Lord"—had asked, "Wherewith shall I came before the Lord and bow myself before the high God?" The spirit of "technical" religion, busy in our day as in the day of the Prophet, with its arbitrary rules and tests and exactions, had told him that it must be with some special sacrifice, some self-mortification of the reason, some unquestioning beliefs that commended not themselves to his judgment, some special experience, coming in mystery and fed by a faith that he dare not criticise. He had thought long and earnestly, with the simple desire to know the truth. He had come to the same conclusion with the Prophet, "He hath showed thee, O man, what is good; and what doth the Lord require of thee but to do justly, and to love mercy, and to walk humbly with thy God." Here is the universal religion, good for all ages, for all races and ranks of men. We may assure ourselves that it will stand good while the world stands. To walk in justice, mercy and humility before God, saves the soul. It makes the Christian. Judge Shafter believed this. To say that some special belief or mystical experience must be added, he held as the cant of a technical faith. Justice, Mercy and Humility are the rock. The conceits of formalists and pietists are the ever changing mists that hang over it, sometimes, as seen from the dim distance, mimicking the rock in form and appearance, but never attaining its stability—ever disappointing as you approach and attempt to find firm foothold thereon. He never returned to the bosom of the Methodist Church. And why? Was it because of prejudices? These were

rather in favor of that Church. The memory of his revered mother, his dearest educational associations, some of his most intimate friends, drew him towards her communion. Was it from personal hostility to religion? He was a devout worshipper of God. As his writings abundantly showed, he was what the Church would call a "man of prayer." At every piece of good news or instance of unusual prosperity there is a heartfelt expression of thankfulness to the Divine source of blessing. When sad tidings came or calamity befel, he turned to his closet, his Bible and his God for strength and comfort. And no puritan with his catechism was more diligent in the family than he in inculcating the great truths of religion, reverence towards God and love to man. This never ceased till disease broke his strength. The world may have given him little credit for his religion. He did not wear it on the outside for show. It was in the heart, in the honest doing of the work given him to do, and in quiet deeds of goodness to men. The Church sometimes called him an infidel. His piety did not run in the channel of her ceremonies or bear the stamp of her dogmas. Will God reject pure love for that reason?

It was for none of the causes suggested that he declined returning to the bosom of his mother's Church. It was because, *as an honest man he could not.* He loved the truth; he was seeking the truth; he was ready to receive it wherever he could find it; he was ready to do whatever it exacted of him; but he could not find the truth in its highest and purest form in that Church. *The love of truth kept him out of the Church.* She exacts much, as he believed, that God does not exact. She teaches along with much that is good, some things that are an offence to reason and a dishonor to God. His great mind could stop short of no other conclusion. And the Methodist Church is not to be singled out as peculiar in this. The other sects prominent among us occupy common ground with her so far as his objections went. None of them could make room for him.

This is to me the most impressive suggestion of his greatness and goodness. The Churches must make room for such a man, or that grand day of broader light that hastens on will have no room for them.* Educate a people till they love the truth as well, and can

* "When creeds are employed so that men of blameless lives, of holy and pure

see as broadly as Judge Shafter did, and they will not go into our churches *as they are*. These churches might easily make room for such. They *must* revise their standards, and purge them of those absurdities, which the broadly educated mind can never look upon as other than absurdities. Germany is saying this to us to-day; Oxford is saying it; Cambridge is saying it; Yale is saying it. Every center of learning and superior intelligence in Christendom is saying it. The guild of scientific men all over the world, with an approach to unanimity that ought to be alarming to one who really loves the Church and sees its importance, are saying it. It is a question of life and death with the Church. Her teachers may shut themselves up in their little circle of thoughts and deny that there is any broader flow from the Fountain of Eternal Truth, but the mightier minds of the world, that, like Judge Shafter, have swept through their lines, and out into the ocean that rolls all around them, will see their mistake, and will never, never strike back towards the centre of darkness and ignorance for the sake of sailing in their company.

Scan the life of this man, put his character under the test of the closest scrutiny, make the most of his imperfections common to our nature or peculiar to him, and then say in view of the pure and exalted character you are compelled to confess he bore, whether he is to be placed outside the pale of christianity; or if he is, whether any thing ought to be left inside that the world has much reason to value. The text seems to me to epitomize his virtues—"do justly, love mercy, and walk humbly with thy God." His life filled out this "Table of Contents."

He was a *just* man. Take this passage from his own writings as illustrating the sentiment on which this virtue is based. I shall be excused for quoting it although it was intended only for the eye of his own family. He is writing for the benefit of his own little boy—alas! soon after called to another world, blasting the hope and almost

dispositions, cannot abide in the church, unless they assent to them against their convictions, then they are anti-Christian, despotic, and most mischievous. For no creed can be rightly held which condemns a man whom God loves, whose life is redolent of Divine grace, and whose good will and rectitude are open before God and man. If any creed is not large enough to take in such a man, it is the worse for the creed, and not for the man."—[Extract from a sermon by Henry Ward Beecher, preached in Plymouth Church, December 11, 1859.]

breaking the heart of the fond father. He says: "I trust, also, that my boy will be a *good* lawyer, which is the same thing as saying, 'I trust he will be a good man'—free from all chicanery, honest in his dealings with court and jury, and perfectly truthful in all his relations to his clients. There is no calling in which a strict obedience to the maxim that 'honesty is the best policy,' is more available. A rogue of an attorney is sure to reveal himself in his true character, and then there comes at once from all honest men a retribution of distrust, aversion and contempt; and no matter what may be his learning or his talents, a withdrawal of business inevitably follows the withdrawal of confidence." This was the sentiment upon which he based his practice as a lawyer not only, but as a man. If he was rigid in exacting what was due him from others (as all successful business men must be as a rule) he was equally rigid in giving their dues to others. As a Judge his impartiality commanded a confidence that was well nigh perfect. The suspicion of a bribe never rested on him. There was something in the man that corruption dared not approach. It would have instinctively forecast its own discomfiture and stern rebuke.

He was also merciful. I have no motive for saying that he did not love money; by admitting that fact I only strengthen the proof of the intensity with which he "loved mercy." He gave without ostentation, but liberally and continuously. Worthy want never turned away from him empty. Struggling merit had numerous occasions to bless his bounty. Sometimes his friends thought he was lavish in gifts where the worthiness of the object was questionable. His reply was that he feared mistake and would rather give to the unworthy than to let real want go unrelieved. It was a maxim with him that, "If you would keep the sympathies fresh and the heart green, you must keep giving; if you stop you shut up and rust, like an old jack-knife which no one can get open." Quaintly put, but a mighty truth. He blessed himself in its practice. His generosity did not stop with tens of dollars, nor with hundreds, nor with thousands, nor with tens of thousands—although he took no pains that the public at large should hear of its extent. One who had the best opportunity to know writes of him, "I know personally of tens of thousands of dollars disbursed by him without any hope of return."

I think we may truthfully add, also, that he crowned his other virtues by walking humbly with his God. We have already said that his

religion did not run in the channels of the Church. It did not stop with duties to man nevertheless; it took direct hold on the Divine Love in reverent trust and worship. He has left on record the expression of his sense of dependence on God as he entered upon the duties of that high position to which the people had called him, and his solemn resolution in their discharge to trust in God and commit the vindication of his judgments that might displease, to the Infinite Judge and the coming time. That resolution was severely tried when he felt bound to decide an exciting question against the interests of his own party and against his own personal feelings. But appeal to a higher Tribunal gave him an early vindication. At the noon of his powers and after he had come to this State, I hear him accusing himself of having too much neglected the reading of his bible, and expressing his wonder at the power with which its utterances came home to his heart in his peculiar circumstances here. He tells us also of a new light of immortality breaking in upon his mind on one occasion while he knelt in prayer. Here is proof also of the keen appreciation with which he read the Divine Word, in a comment on that verse of a Psalm which reads, "Stand in awe and sin not; commune with thy own heart upon thy bed and be still." "Crawl not like a worm—stagger not like one in delirium—fly not like a coward—but stand—erect and firm. But stand in *awe*. How much is there to awe the heart of man in the visible creation—in the earth and in the heavens! But in the contemplation of himself there may be revealed to him deeper mysteries and a yet greater glory, visiting him with an awe yet more profound. But more than for all these he should 'stand in awe' for he standeth ever in the presence of God."

Here are words of solemn grandeur, bursting spontaneously from a soul that felt all they speak. Was this man an infidel?

Judge Shafter was thought by some to be a man of hard, cold logic, as the chief characteristic of his mental constitution. Nothing could be a greater mistake.* He was severely logical in his mental processes;

* The following is a portion of a letter written to Mrs. Shafter a few weeks after receiving the intelligence of the death of his two children. It is given as showing the heart of the man and his religious faith.

SAN FRANCISCO, July 28th, 1855.

Your's and E.'s of the 24th of June is received this day, and brings me good news, for it assures me that you are all alive and well. I

but along with this went an endowment of the keenest sensibility. At the reading of a noble sentiment or a touching incident, this would often show itself—trembling over into tears. The voice would fail and expression rise to the power of a speechless silence from the quivering intensity of feeling. When thoroughly roused in his own utterances his imagination would glow with true poetic fire. The golden ingots of his logic would melt and flow in streams of burning emotion. There was a large measure of that "sort of religious sensibility" which is said to have marked the greatest speeches of Webster's prime. But it was in his own family that these tenderer qualities showed themselves in their fullest power. It was there that his exhaustless stores of thought

have received since I have been here so much of bad tidings from home, that I open every letter with fear—but I trust that the full measure of chastisement is filled and that the residue of wrath will be mercifully restrained, until at least our bleeding wounds shall have time to heal, and the failing heart to recover its constancy, firmness and repose. The bitter agony, the deep, uncontrolled and uncontrollable wailing, the ceaseless repinings, are over with me—but still I remember what I never can and never desire to forget. In the hurry of business, in the excitements and exhaustion of daily labor, my thoughts are with the dead; and at night in the silence of my bed chamber they fly away like the dove from the ark of Noah, and seek the babes and strive for communion with them, in the habitations where they all dwell together. Their deaths, particularly the death of our son, have taught me lessons and have suggested and forced upon my attention views of life and death, of the present world and of that which is to come, to which I have long been measurably inattentive. With my general theological opinions you are acquainted—they have undergone no essential modification or change. They are the opinions which the lamented Doctor Channing has so fully illustrated in his sermons, and of the profitableness of which his whole life was a beautiful and all but faultless exhibition. Those doctrines reveal God to us as our Father—our *Father* in the highest and profoundest import. They further inculcate that he has a will concerning us—they give to that will the authority of law—they recognize human obedience as a duty, and make certain fixed consequences result from obedience, and another set of consequences the unchangeable and inevitable fruit of transgression. They teach us that the conditions of happiness in the future life are the same as those of the present—that death is a natural change only, and that the soul enters upon the future life with the same character it bore when it left this; and that in the world to come it will advance if it advance at all, by the same means that it works out its own character and tone in the world that now is. But these doctrines further reveal to us that in the progression of the eternities of God, the soul will of its own intelligent election cease from its warfare against its own highest good, and ceasing to do evil will learn to do well—*at last*. In these views there are presented most powerful motives to present obedience; whatever purification from sin and its contam-

and knowledge poured themselves forth untiringly in streams of wise and affectionate suggestion. His children tell me that they came to live on his words and to regard their author with an almost idolatrous reverence. If the Church was not visited on the Sabbath, as often during their early residence in Oakland it was not, they found a richer treat at home. The day was made sacred to them by words that kindled their higher purposes and lifted their souls to God.

But I must pause. The hour is gone, while the subject is still fresh. Poor tribute this that I bring to such worth, but it is an offering that the heart cannot refrain from making. We shall think to-day as a religious society of our great loss. The memory will run back four years

inations is accomplished here, but hastens the hour of completed regeneration hereafter—while every evil act performed here, every evil thought indulged here but delays and postpones the period of redemption. This theory of rewards and punishments recognizes the great primary truths of human accountability—presents adequate encouragements to virtue and discouragements to vice—invests the soul with all needful powers for the achievement of its own highest good—and by making the ultimate attainment of that good an universal truth, vindicates at once the goodness and the wisdom of God in man's creation. E. asks, "Why are the young and beautiful snatched away and the aged permitted to remain?" It is a question that has often, very often, been asked before, and the most satisfactory answer that I have ever heard is, that it is the *will of God*. We are born to die, and to die is but to live again. We live here then simply that we may live hereafter—and that final, that higher, better and truer life is sure to follow life here, irrespective of its *duration*—the little child whose space is told by months alone, is as sure of its immortality as the grown man who dies weary and worn with the weight of years. The latter dies amid the shadows of evening following the endeavor and the exhaustion of a lengthened day; the former in the dewy freshness and soft effulgence of the early morning—this is the only difference. God wills it, and my daughter must reflect that He doeth all things well. I am more than gratified that you have learned what it is the end of all time to teach, the futility of earthly hopes, and that all substance, all reality, are beyond the bourne to which we hasten. Yet life here should not be set down as unimportant and valueless, for it is one of the appointments of God, which he has brightened with prospects and ennobled with duties, and they should be cheerfully and faithfully performed. They press upon us from day to day; we wake to them every morning; they challenge our attention and our efforts every moment, and wait patiently upon our slumbers during the silence and darkness of night; they should be performed cheerfully, courageously and in the patience of hope. There is impiety in saying, "I am weary of life." While it is continued, it should be cherished and improved. Viewed in its just relations to that which is to come, its importance is magnified and its deeper import fully revealed.

to the time when this man stood with us in our new enterprise, and opened his hand liberally to its wants. We shall connect the thought of him with that other great loss* which we so lately had occasion to deplore. We shall think of these two friends, who as they opened the doors of their homes each morning looked into each others faces, as communing again face to face in a higher home. And if it be true that the great and good look back from "The Better Land" upon the best interests of earth which they have joined in promoting, with a keen sympathy still, we must feel under the watch of such eyes that it will not do for us to be laggards in that good work to which they gave hand and voice, and then left for us to carry forward, as they went up to their reward.

* Hon. Edward Tompkins.

ACTION OF SUPREME COURT.

At the opening of the Supreme Court on Monday, November 23d, 1873, Wallace, C. J., and Crockett, Rhodes, Niles and Belcher, JJ., being present, Ex-Chief Justice S. W. Sanderson arose and said:

If the Court please: At the April term of this court last past, upon my motion, a committee, consisting of members of the bar, was appointed to take such action as they might deem proper in respect to the death of the Honorable Oscar L. Shafter, late Associate Justice of this court, and report at the next term. The committee, as appointed, consisted, in addition to myself, of Ex-Chief Justices Lorenzo Sawyer and John Currey. Ex-Justice W. W. Cope, Attorney General John L. Love, and Messrs. Joseph P. Hoge, John B. Felton, John W. Dwinelle, Samuel M. Wilson, Edmond L. Goold and Hall McAllister. The committee, in discharge of the duty assigned them, came to the conclusion that the most fitting and proper notice that could be taken of the death of Judge Shafter would be to cause to be prepared a brief biographical sketch of his life and an analysis of his intellectual and moral character; and ask that it be spread upon the records of this court, and published in its reports. Pursuant to this determination, and at the request of the committee, the Honorable John W. Dwinelle consented to prepare and has prepared such a sketch, which I now have the honor to submit to the court; and ask that it be spread upon its minutes and published in its reports.

Ex-Chief Justice Sanderson then read the following

MEMORIAL

Oscar Lovell Shafter, late Associate Justice of this court, was born at Athens, Vermont, October 19th, 1812. He came of a patriotic and cultivated stock. His paternal grandfather, James Shafter, fought at Bunker Hill, Bennington and Saratoga, and was afterwards for twenty-five years a member of the Vermont Legislature. His own father was for several years County Judge; was a member of the Constitutional Convention of 1836; and more than once a member of the Legislature

He is described as being an able, intelligent and upright man. His wife, the mother of our deceased brother, was a woman of superior endowments; majestic in form, with a countenance of infinite expression, and possessing rare conversational and social qualities. She lived long enough to mould his character and fix his principles.

He was prepared for college at Wilbraham Academy, Massachusetts, and graduated at the Wesleyan University in 1834. He immediately commenced the study of law in a private office in Vermont. But he soon became dissatisfied with his progress; probably because the study of law, in a practicing office, is generally of a synthetical character, where a student, after becoming possessed of a few propositions, which to him are rather facts than principles, is at once initiated into the routine of practice. Such a method could not suit the analytical mind of young Shafter, and accordingly he entered the law school of Harvard University, under Judge Story, where he completed his law studies, and commenced the practice of the law at Wilmington, Vermont, in 1836 or 1837.

He won his way at once to the front rank of his profession. He became a member of the Legislature, and was the candidate of his party for Representative in Congress, Governor and United States Senator. He belonged to what was then known as the Liberty party, yet always appreciated the difficulties which encumbered the subject of slavery, and the embarrassments which surrounded the position of the South. He was consistent in these views to the last; but when the war had terminated believed that the militant spirit should subside, and was full of sympathy for the distresses of the South.

He was married to Miss Sarah Riddle in 1840. Of the children of this marriage six daughters survive. Two others, a daughter, and a promising son of seven years, died in their infancy.

For reasons which will soon become apparent, we epitomize his subsequent history. He came to California in 1854, practiced law with great success until January, 1864, when he took his seat as Associate Justice of this court for the term of ten years, which position he held until December, 1867, when he resigned his place on account of ill health, and afterwards went abroad, still failing in mind and body, and died at Florence, Italy, January 22d, 1873.

Judge Shafter arrived at San Francisco on November 13th, 1854,

without his family, and immediately entered upon the practice of his profession in connection with the leading firm of Halleck, Peachy, Billings & Park. During the next ensuing year, until the arrival of his family, he kept a journal, in which he entered his impressions of the climate and the scenery of California; his views of society and of the practice in the courts; many current events; some biographical sketches; and notices and analyses of the books which he read. But more especially is this brief diary remarkable for its manifestations of his deep affection for his family and other relations; for his diffidence of his own ability; and for the gradual growth of a self-confidence that he was equal to contend with the foremost leaders of the bar. It was during this period that he received intelligence of the death of two children within the period of a month—one of them the only son that he ever had. He appears to have been wholly inconsolable under this double bereavement, and could not refer to it for several years afterwards without expressions of almost uncontrollable grief.

In another place he says: "At home the familiarity that I had attained with the routine of questions ordinarily litigated, and perhaps the firmly-established position that I had secured among the lawyers of Vermont, left me, with my easy and sluggish temperament, with no incentive to exertion except a simple desire for further excellence. But here constant and unremitted occupation furnish new inducements, which supersede all inclination to indolence by intense activity and the higher modes of moral and intellectual life."

In commenting upon a life of Lord Mansfield which he had just been reading, he thus describes his own method of studying law: "I began with the most general principles of the science of the law, and from them proceeded to principles that were relatively subordinate to them, and so on through series after series of dependent truths until the final details had been examined and exhausted. In other words, I began with the *genera*, from them proceeded to an examination of the different *species* included in each *genus*, and from them to individual truths of which those species were severally constituted. It will be obvious to every one that the memory must be most powerfully aided by this method of study. The principles of law, though in one sense their name is legion, yet all bear relations to each other, and, taken together, form a system; and if once mastered in those relations, so long as one of these principles is retained by the mind the principle of association gives signal aid in recalling the others. I have for the last fifteen years prose-

cuted all my professional studies on the above plan, and although my memory is not remarkably tenacious, I have had no difficulty in remembering, when once acquired, all the details of legal truth that can be brought within the scope of legal principles. When I read a new decision I always ask myself the question: 'Whereabouts in the system of the law does the result ascertained belong?' In the twinkling of an eye its appropriate place is at once suggested to my thought and I put it in its place, and then I stop and look at it there, and I find by experience that it is very apt to stay there without watching until I want it."

These remarks were penned in the fulness of parental affection for the instruction of the infant son whom he afterwards lost, in case he should study law. They are full of matter which may be profitably pondered by practitioners as well as students of the legal profession. But they are doubly valuable at this time, because they indicate and illustrate Judge Shafter's methods and characteristics as lawyer and judge.

It was sometimes said of him, while at the bar, that he was slow in the preparation of his cases. This was only another mode of saying that when he encountered a case which presented elements that were new to him, he was never satisfied that it was fully prepared for trial, until he had subjected those elements to an analysis and classification which enabled him to master their minutest details.

So of his decisions as a Judge it was not seldom remarked that they savored of technical logic. But this was merely confounding logical analysis with the logic of the books. If his decisions have any prominent characteristic, it is that they present constantly the ruling presence of that faculty which combines the similar and rejects the dissimilar, and descends from the general to the specific. So that, in truth, his cases at the bar were not too laboriously prepared, nor his decisions from the bench too elaborately wrought. He merely applied to each the methods of study which are above described. As a consequence he was very successful at the bar, and his decisions from the bench have been rarely questioned.

While at the bar, no one was more scrupulous than he in the respect with which he treated the judiciary, both in bearing and in language. He regarded it as the palladium of our free institutions, and not to be desecrated by thought, word or deed. And when he came to the bench, he magnified his high office in the same spirit, and honored his

associates there. No one was more thoroughly imbued than he with that personality which made him identify with himself the highest function of the State, and with that impersonality which removed him from every influence except a desire for judicial truth.

He was very successful in gathering the material rewards of his professional labors, and by their judicious investment accumulated an opulent fortune.

We have spoken of his strong family affections. He was also an attached friend. His was not an impulsive nature, but his feelings were deep and permanent. He was remarkably genial in his social relations; he loved the society of young men, to talk with them, counsel them, encourage them in their plans and studies. His religious principles were fixed, and comprehensive enough to embrace all mankind. Exact in his business, he was yet bounteous and liberal in his benefactions. The large sums which he disbursed in this manner would never have been known, even to those who knew him best, if they had not been entered from mere habit in the accounts which he kept of all his expenditures. He could not listen unmoved to the cry of distress, and when it was sometimes urged that the objects of his bounty were probably unworthy, would reply that that responsibility was theirs and not his. He was an ardent student of nature, and loved to be a boy again amid mountains, forests, fields and waters. And on such occasions he showed an apt familiarity with the best poets of the English language, which caused it to be said of him that "he was a learned lawyer of an older school"—one whose reading was not of the law-books merely, but extensive, tasteful and varied. His sense of humor was great, and frequently illuminated his logic with a sudden flash of light. His language was generally elegant in its simplicity, but he did not reject the word which best expressed his meaning, no matter what its origin; and the occasional unconscious use of quaint expressions showed the extent of his reading among the older writers of our tongue.

Such is an imperfect outline of the man, the lawyer and the judge. It is full of example, of encouragement and of warning. Of example to those who are content with the rewards which belong to personal integrity, professional fidelity and political consistency. Of encouragement to those who are willing to win success as the prize of industry and perseverance. Of warning that there is a price too dear to be paid for great professional success, high position and abundant wealth; that

mind and body when overworked often react upon themselves and upon each other, and present the sad spectacle of a noble column riven from capital to base long before it topples to its fall.

The memorial having been read, and the Judges having signified their concurrence, the Chief Justice directed it to be spread upon the minutes of the Court, and to be published in the reports.

A large assemblage of the bar was in attendance during the proceedings, which were conducted with all the impressiveness and solemnity due to the memory of the distinguished deceased.

IN MEMORIAM.

LINES TO THE MEMORY OF OSCAR L. SHAFTER, WHO DIED IN FLORENCE, ITALY, AND WAS BURIED IN OAKLAND, CALIFORNIA.

[From the New York Evening Post.]

"Where the west wind blows through the evergreen trees,
And the fogs go sailing by,
'Mid the lupine blooms and humming bees,
'Tis there I fain would lie.

"These Italian skies are very fair,
Around are mosaics and sculptures rare,
And ruins of temples old;
And here, where the Arno's waters flow,
The gems of Raphael and Angelo
These princely galleries hold.

"But I'd rather sleep on the western shore,
Where the broad Pacific wave
In solemn music would grandly roar
A requiem o'er my grave."

Then bear him gently across the main,
And away toward the setting sun,
Though we never shall hear that voice again,
And his earthly task is done.

The eye is quenched that in sympathy glowed
For the wrongs of the struggling one,
And still the hand that so freely bestowed
The aid he denied to none.

But well he'll sleep on the western shore,
Where the broad Pacific wave
In solemn music shall grandly roar
A requiem o'er his grave.